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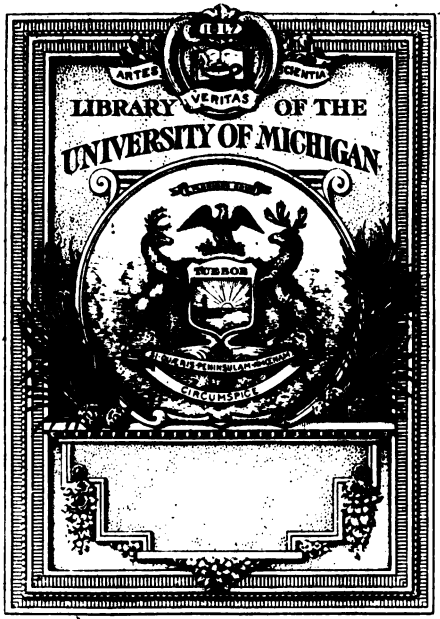
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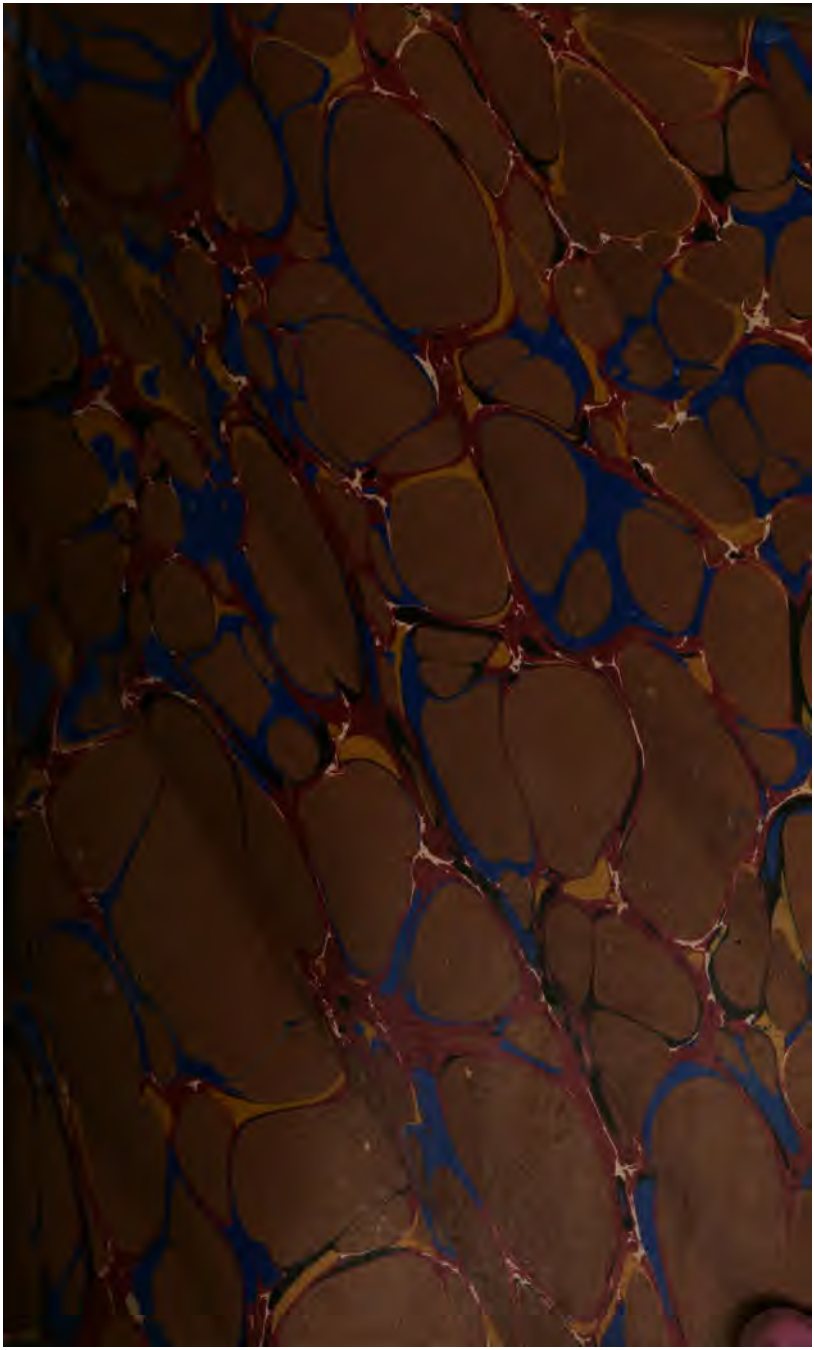

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March 18. 1873

Second anniversary of the Commune.

BROUGHAM'S WORKS.

WORKS

OF

HENRY, LORD BROUGHAM

VOL. III.

STATESMEN OF THE TIME OF GEORGE III. AND IV.

VOL. I.

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STATESMEN

OF

THE TIME OF GEORGE III.

INTRODUCTION.

THE affairs of men, the interests and the history of nations, the relative value of institutions as discovered by their actual working, the merits of different systems of policy as tried by their effects, are all very imperfectly examined without a thorough knowledge of the individuals who administered the systems and presided over the management of the public concerns. The history of empires is, indeed, the history of men, not only of the nominal rulers of the people, but of all the leading persons who exerted a sensible influence over the destinies of their fellow-creatures, whether the traces of that influence survived themselves, or, as in the case of lesser minds, their power was confined to their own times.

But, in another view, this kind of inquiry, this species of record, is even more important. Not only the world at large is thus instructed, but the character of statesmen and rulers is improved. Examples are held up of the faults which they are to avoid, and of the virtues which they are to cultivate. Nor can history ever be the school of potentates, whether on or near the throne, unless the character and the conduct of their predecessors be thoroughly scrutinized. This

task has been attempted in the following work, which aspires, therefore, to a higher office than merely amusing the vacant hours of the idle (the hours a little more unemployed than the bulk of their time), and aims at recording, for the warning or for the encouragement of the great, the errors or the wisdom, the vices or the virtues, of their predecessors. It is a well-meant contribution, of which the merit is very humbly rated by its author, to the fund of Useful Knowledge as applied to the Education of those upon whose information or ignorance the fortunes of mankind in an especial manner depend. But, how moderate soever may be the merits of the contributor, the value of the contribution cannot easily be estimated too highly, if, by only stating the facts with careful accuracy, and drawing the inferences with undeviating candour, those who voluntarily assume the government of nations are taught to regard their duties as paramount to their interests, and made to learn that ignorance of their craft is in their calling criminal, by having placed before their eyes the examples of others—their signal punishment to deter from vice, their glorious reward to stimulate in well-doing. This salutary lesson will be taught if the friends of mankind, the votaries of duty, of peace, of freedom, be held up to veneration, while their enemies, themselves the slaves of ambition or avarice, and who would forge fetters for their fellow-creatures or squander their substance or their blood, are exhibited to the scorn and hatred of after-ages.

The chief objection to such a work, undertaken so soon after the persons whom it undertakes to pourtray have left this earthly scene, arises from the difficulty of preserving strict impartiality in considering their merits. This difficulty is not denied; its formidable magnitude is not underrated. Even if no human feelings with respect to men, between whom and ourselves there may have existed relations of amity or of hostility, swayed the mind; yet are we ever prone to

view through a distorting medium those whose principles agreed with or differed from our own upon questions still of daily occurrence—of men, too, whose party connexions united them with classes still in existence and actively engaged in the proceedings of the present day.

But, while this is admitted to render the attempt difficult, it may not be found to make it hopeless. At any rate we are placed in a choice of evils. A postponement till the day when there should be no possibility of passion or prejudice shading the path of the historian, may extinguish the recollections, also, which alone can give value to his narrative. The transfer of the work to mere strangers, who can be animated by no feeling of a personal kind, leaves it in hands, if not altogether incapable of performing it satisfactorily, at least incomparably inferior in the power of giving vivid likenesses of contemporary statesmen. At the very least, these portraitures may be regarded as materials for history, if not worthy of being called historical themselves; and future penmen may work upon them with the benefit of contemporary testimony as to the facts, though free from the bias which may have influenced the conclusions. The author can only affirm, and this he does most conscientiously, that he has ever felt under a sacred obligation to pursue the truth of his resemblances without either exaggeration or concealment; that he has written, or endeavoured to write, as if he had lived in a remote age or country from those whose rulers he has endeavoured to describe; and that if any prejudices or predilections have operated upon his mind, they have been unknown to himself. He is quite aware that some may consider this as a very equivocal test of his impartiality, if they do not rather see in it an additional symptom of blind prepossession. But he thinks the praise bestowed upon known political adversaries, and the disapproval, admitted to be

just, of conduct frequently held by the party for whose services to the cause of freedom he is most grateful, will be taken as some evidence of general impartiality, though it may not suffice to exempt him from the charge of having sometimes unwarily fallen into the snares that beset the path of whoever would write contemporary annals. We may be permitted to add the valuable and wholly unexceptionable testimony of the surviving friends and partizans of some with whom he widely differed, but to whose merits they allow he has done justice.

No distinguished statesman of George III.'s time has been omitted, except one very eminent person, Lord Shelburne, afterwards Marquess of Lansdowne, to whom, however, occasion has been taken of doing some justice against the invectives of mere party violence and misrepresentation by which he was assailed. The reason of the omission has been of a personal nature. The long and uninterrupted friendship which has prevailed between the writer of these pages and Lord Shelburne's son and representative, both in public and private life, would have made any account of him wear the appearance of a panegyric or a defence of his conduct, rather than a judgment pronounced on its merits. If it should be urged that a similar reason ought to have prevented the appearance of other articles, such as that upon Sir S. Romilly, Mr. Horner, and Lord King, the answer is plain. Personal friendship with those individuals themselves gave him the means of judging for himself, and that friendship was only another consequence of the merits which he was called upon to describe and to extol. But in Lord Shelburne's case, friendship for the son might have been supposed to influence an account of the father, who was personally unknown to the author.

It would be a very great mistake to suppose that there is no higher object in submitting these Sketches to the world than the gratification of curiosity respect-

ing eminent statesmen, or even a more important purpose—the maintenance of a severe standard of taste respecting Oratorical Excellence. The main object in view has been the maintenance of a severe standard of Public Virtue, by constantly painting political profligacy in those hateful colours which are natural to it, though sometimes obscured by the lustre of talents, especially when seen through the false glare shed by success over public crimes. To show mankind who are their real benefactors—to teach them the wisdom of only exalting the friends of peace, of freedom, and of improvement—to warn them against the folly, so pernicious to themselves, of lavishing their applauses upon their worst enemies, those who disturb the tranquillity, assail the liberties, and obstruct the improvement of the world — to reclaim them from the yet worser habit, so nearly akin to vicious indulgence, of palliating cruelty and fraud committed on a large scale, by regarding the success which has attended those foul enormities, or the courage and the address with which they have been perpetrated—these are the views which have guided the pen that has attempted to sketch the History of George III.'s times, by describing the statesmen who flourished in them. With these views a work was begun many years ago, and interrupted by professional avocations—the history of two reigns in our own annals, those of Harry V. and Elizabeth, deemed glorious for the arts of war and of government, commanding largely the admiration of the vulgar, justly famous for the capacity which they displayed, but extolled upon the false assumption that foreign conquest is the chief glory of a nation, and that habitual and dexterous treachery towards all mankind is the first accomplishment of a sovereign. To relate the story of those reigns in the language of which sound reason prescribes the use—to express the scorn of falsehood and the detestation of cruelty which the

uncorrupted feelings of our nature inspire—to call wicked things by their right names, whether done by princes and statesmen, or by vulgar and more harmless malefactors—was the plan of that work. Longer experience of the world has only excited a stronger desire to see such lessons inculcated, and to help in tearing off the veil which the folly of mankind throws over the crimes of their rulers. But it was deemed better to direct the attention of the people, in the first instance, to more recent times, better known characters, and more interesting events. In this opinion these Historical Sketches had their origin. The other work will probably (at least as regards the author's name) be posthumous; it must, from its nature, be too dull to be patiently borne from a living writer.

It remains to be explained why the Dialogue upon Monarchical and Republican Government was originally omitted in the present publication, after being announced in the advertisement. Beside the inconvenience of increasing its bulk, it would have given the book a controversial aspect, and engendered political animosities, thus impeding the effects intended to be produced by a work avoiding all partial or violent discussions. For this reason the appearance of the Dialogue was postponed. It was written many years ago; its doctrines have been destined to receive material confirmation from subsequent events: they are very certain to become at no remote period the prevailing faith of the country. It now appears in the third volume of the Statesmen; but considerable additions have been made to it, and it bears the date of 1848 instead of 1835. After Lord Spencer's death, M. Arago was asked by letter if he had any objection to be made the speaker in favour of Republick as against Monarchy, such being his decided opinion; it certainly was not Lord Spencer's; but he had been the interlocutor in the Dialogues on Instinct, and

in all probability, he would not have objected to the form of the discussion. By a singular accident the letter, dated 23d February, 1848, crossed the telegraphic account of M. Arago being just proclaimed the leading member of the new Republican Government.

But, although this more general discussion had been omitted, constant opportunities were afforded, in the course of these Sketches, for contemplating the comparative vices and advantages of the two forms of Government,—for holding up to Sovereigns the imminent perils into which they rush by setting up their pretensions, and gratifying their caprices, at the expense of their people's rights and interests—for reminding the people of the mischiefs occasioned to themselves by violent and sudden changes to which the state of society has not been accommodated—for exposing the evil consequences of those abuses to which party connexions are liable—and, above all, for teaching the important duty incumbent on all men, under what Government soever they live, the sacred duty of forming their own opinions upon reflection, nor suffering them to be dictated by others whose object it is to deceive and to betray. In proportion as the People are thus educated and fitted for the task of Self-government, will it be both safe and expedient to entrust them with an increased share of power; and it would be difficult to fix any bounds to the extent of that share, other than are set to their own improvement in political knowledge and experience.

GEORGE III.

THE centre figure round which the others that compose this picture group themselves, and with which they almost all have relations, is that of George III., a prince whose long reign, during by far the most important period in the history of the human race, rendered his character and conduct a matter of the deepest interest, not only to the people of his vast dominions, but to all mankind. He presided over the destinies of the British Empire, the only free state in the world, during an age that witnessed the establishment of independence in the new hemisphere, and the extension of liberty over a great portion of the old. He ruled the most enlightened nation of modern times, while civilization, rapidly spreading in all directions, dispelled the remains of feudal darkness in Europe, carried its light over other quarters of the globe, and discovered and cultivated unknown regions. Wherefore, his capacity, whether to appreciate his position, or to aid in the progress of his people and his species, if he should have the wisdom to choose the right path, or to obstruct it, should he erroneously deem resistance the better course, was a matter of the greatest importance both to himself personally, to the order in which his lot was cast, and to the rest of mankind. Unhappily he took the wrong direction; and, having once taken, persevered in it with the pertinacity that marks little minds of

all ranks, but which in royal understandings often amounts to a mental disease.

Of a narrow understanding, which no culture had enlarged; of an obstinate disposition, which no education, perhaps, could have humanized; of strong feelings in ordinary things, and a resolute attachment to all his own opinions and predilections, George III. possessed much of the firmness of purpose which, being exhibited by men of contracted mind without any discrimination, and as pertinaciously when they are in the wrong as when they are in the right, lends to their characters an appearance of inflexible consistency, often mistaken for greatness of mind, and not seldom received as a substitute for honesty. In all that related to his kingly office he was the slave of deep-rooted selfishness; and no feeling of a kindly nature ever was allowed access to his bosom, whenever his power was concerned, either in its maintenance, or in the manner of exercising it. In other respects, he was a man of amiable disposition, and few princes have been more exemplary in their domestic habits, or in the offices of private friendship. But the instant that his prerogative was concerned, or his bigotry interfered with, or his will thwarted, the most unbending pride, the most bitter animosity, the most calculating coldness of heart, the most unforgiving resentment, took possession of his whole breast, and swayed it by turns. The habits of friendship, the ties of blood, the dictates of conscience, the rules of honesty, were alike forgotten; and the fury of the tyrant, with the resources of a cunning which mental alienation is supposed to whet, were ready to circumvent or to destroy all who interposed an obstacle to the fierceness of unbridled desire. His conduct throughout the American war, and towards the Irish people, has often been cited as illustrative of the dark side of his public character; and his treatment of his eldest son, whom he hated with

a hatred scarcely betokening a sound mind, might seem to illustrate the shadier part of his personal disposition; but it was in truth only another part of his public, his professional conduct; for he had no better reason for this implacable aversion than the jealousy which men have of their successors, and the consciousness that the Prince, who must succeed him, was unlike him, and, being disliked by him, must, during their joint lives, be thrown into the hands of the Whig party, the adversaries he most of all hated and feared.

Although much of the character now portrayed had its origin in natural defect, and part of it in a mind tinged with disease, yet they who had the care of his youth are deeply answerable for the neglect which both added to it many defects, and prevented those of nature from being eradicated or counteracted. His mother, the Dowager Princess, was a woman of neither knowledge, accomplishments, nor abilities; and she confided his education to her friend, Lord Bute. The want of instruction of which George III. could complain must have been great indeed; for, if any man was little likely to overrate the value of superfluous or extensive information, it was he. Yet a witness, above all suspicion, Sir Herbert Taylor, has recorded that he lamented, while he admitted, his want of education. Can there be a more shameful thing related? Can any parties, in the station of his royal parent and her favourite, be guilty of a more disgraceful breach of duty than to leave the future monarch of a free and enlightened people without the instruction which all but the lower classes of his subjects give to their children as a matter of course?

Being far from deficient in natural quickness, and the more regularly industrious because of his habitually temperate life, he made himself thoroughly master of all the ordinary details of business; insomuch, that

the same high authority has ascribed to him a more thorough knowledge of the duties of each several department in the state than any other man ever possessed; and this is the testimony of one both singularly accurate in stating facts, and eminently qualified to form such a comparative estimate by his own intimate acquaintance with official details. We must, however, take care not to overrate the difficulty or the value of this acquirement. Kings have a peculiar interest in ascertaining the bounds of each department's duties and rights. They find protection in keeping each within its own limits. Coming, of necessity, into frequent contact with them all, monarchs can easily master the knowledge of their several prerogatives and functions; so that this becomes like heraldry and etiquette, wherein they are all great proficients, emphatically a royal branch of knowledge. No proofs remain, nor has even any assertion been made, that he had any familiarity with the nobler branches of information connected with state affairs; the constitution and privileges of parliament; the jurisdiction of Courts; the principles, nay, even the details of banking, or of trade generally; the East India or Colonial affairs of his empire; the interests of foreign countries; the statistics of his own; all of them kinds of knowledge as certainly worthy of princes as they are generally despised by them. That he was a diligent man of business, punctual to his appointments, regular in the distribution of his time, never wanting when his mechanical interposition was required, always ready to continue at work until the affair in hand was despatched, nor ever suffering pleasure or distraction of any kind to interfere with the transaction of the matters belonging to his high station, is as undeniable as that all this might be predicated of one who had the most limited capacity, or the most confined information, and who had little else to recommend him than the strict sense of his

official duties, and the resolution to make everything yield to the discharge of them, those duties being much more of the hand than the head.

But it would be a great mistake to imagine that George III.'s ambition was confined within the range of his abilities. He was impressed with a lofty feeling of his prerogative, and a firm determination to maintain, perhaps extend it. At all events, he was resolved not to be a mere name, or a cipher in public affairs; and, whether from a sense of the obligations imposed upon him by his station, or from a desire to enjoy all its powers and privileges, he certainly, while his reason remained entire, but especially during the earlier period of his reign, interfered in the affairs of government more than any prince who ever sat upon the throne of this country since our monarchy was distinctly admitted to be a limited one, and its executive functions were distributed among responsible ministers. The correspondence which he carried on with his confidential servants during the ten most critical years of his life lies before us, and it proves that his attention was ever awake to all the occurrences of the government. Not a step was taken in foreign, colonial, or domestic affairs, that he did not form his opinion upon it, and exercise his influence over it. The instructions to ambassadors, the orders to governors, the movements of forces, down to the marching of a single battalion, in the districts of this country, the appointments to all offices in church and state, not only the giving away of judgeships, bishoprics, regiments, but the subordinate promotions, lay and clerical; all these form the topics of his letters; on all his opinion is pronounced decisively; on all his will is declared peremptorily. In one letter he decides the appointment of a Scotch puisne judge; in another the march of a troop from Buckinghamshire into Yorkshire; in a third the nomination to the Deanery of Worcester; in a fourth he says that, "if Adam, the architect,

succeeds Worsley at the Board of Works, he shall think Chambers ill used."*

For the greater affairs of state it is well known how substantially he insisted upon being the King *de facto* as well as *de jure*. The American war, the long exclusion of the Liberal party, the French Revolution, the Catholic question, are all sad monuments of his real power. Of all his resolutions on these affairs, the desire to retain America in subjection seems to have been his strongest propensity; during the whole contest all his opinions, all his feelings, and all his designs, turned upon what he termed the "preservation of the empire." Nor was his rooted prejudice against both the Whigs and the French unconnected with the part they both took in behalf of the colonies. Rather than quit his hold over those provinces and receive the Whigs into his confidence, or do what he called "submitting to be trampled on by his enemies," he at one time threatened to abdicate; and they who knew him are well aware that he did not threaten without a fixed resolution to act. No less than thrice within four days, in March 1778, did he use this language, in the agony of his mind, at having a junction with the Whig party proposed by his chief minister; and upon one occasion he says, "If the people will not stand by me, they shall have another king, for I never will set my hand to what will make me miserable to the last hour of my life." The threat is revived upon the division against Lord North four years afterwards.

That such a sovereign was, for the servants he confided in, the best possible master, may well be supposed. He gave them his entire and hearty support. If he kept a watchful eye over all the proceedings both of parliament and the country; if we find him one day commenting on the line taken in

* This was in 1777, in the middle of the most anxious moment of the American contest; the letter immediately preceding relates to the sum of affairs.

debate as "dangerous," at another "timid and vacillating," or discussing the composition of the majority or its numbers upon the division, or suggesting that the journey of Mr. Fox to Paris should "make the different departments bring on all their business before he comes back, as we shall have much less noise for the next three weeks;" or expressing his conviction that "the Speaker's illness is feigned, and all to let the opposition have their pleasure at Newmarket;" he also asks, "Who deserted you last night that you thought you had a right to count upon? Give me their names, that I may mark my sense of their behaviour at the drawing-room to-morrow;" and again, "If the utmost obsequiousness on my part, at the levee to-day, can gain over Mr. Solicitor-General to your views, it shall not be wanting." This was, indeed, efficiently supporting a favourite ministry; and when he had one forced upon him, his whole conduct was the reverse; all his countenance being given to their antagonists, until the moment arrived when he could safely throw them out.

The first impression which such conduct makes is unfavourable to the monarch, and may even give rise to an opinion that it was unconstitutional. But further reflection makes this somewhat more than doubtful. The question is, "Does the king of this country hold a real or only a nominal office? Is he merely a form, or is he a substantive power in our mixed and balanced constitution?" Some maintain, nay, it is a prevailing opinion among certain authorities of no mean rank, that the sovereign, having chosen his ministers, assigns over to them the whole executive power. They treat him as a kind of trustee for a temporary use, to preserve, as it were, some contingent estate; or a provisional assignee, to hold the property of an insolvent for a day, and then divest himself of the estate by assigning it over. They regard the only power really vested in the crown to be the

choice of ministers, and even the exercise of this to be controlled by the parliament. They reduce the king more completely to the condition of a state pageant or state cipher than one of Abbé Sièyes's constitutions did, when he proposed to have a Grand Functionary with no power except to give away offices; upon which Napoleon, then first consul, to whom the proposition was tendered, asked if it well became him to be made a "Cochon à l'engrais à la somme de trois millions par an?"* The English animal, according to the Whig doctrine, much more nearly answers this somewhat coarse description; for the Abbé's plan was to give his royal beast a substantial voice in the distribution of all patronage; while our lion is only to have the sad prerogative of naming whomsoever the parliament chooses, and eating his own mess in quiet.

Now, with all the disposition in the world to desire that Royal prerogative should be restricted, and the will of the nation govern the national affairs, we cannot comprehend this theory of a monarchy. It assigns to the Crown either far too much revenue, or far too little power. To pay a million a-year, or more, for a name, seems absurdly extravagant. To affect living under a kingly government, and yet suffer no kind of kingly power, seems extravagantly absurd. Surely the meaning of having a sovereign is, that his voice should be heard, and his influence felt, in the administration of public affairs. The different orders of the state have a right to look towards that high quarter all in their turn for support when their rights are invaded by one another's encroachments, or to claim the Royal umpirage when their mutual conflicts cannot be settled by mutual concessions; and unless the whole notion of a mixed monarchy, and a balance of three powers, is a mere fiction and a dream, the royal portion of the composition must be allowed to have some power, to

* A hog to be fatted at the rate of £120,000 a-year.

produce some effect upon the quality of the whole. It is not denied that George III. sought to rule too much; it is not maintained that he had a right to be perpetually sacrificing all other considerations to the preservation or extension of his prerogative. But that he only discharged the duty of his station by thinking for himself, acting according to his conscientious opinions, and using his influence for giving these opinions effect, cannot be denied unless by those who, being averse to monarchy, and yet dreading a commonwealth, would incur all the cost, and all the far worse evils, of a form of government which they think the worst, rather than seek for a better, and would purchase the continuance of the greatest evils at the highest price, rather than encounter the risk of a change. The example is worthy of imitation in all times, which he set, in refusing to be made a state puppet in his minister's hands, and to let his name be used either by men whom he despised, or for purposes which he disapproved. Nor could any one ever charge him with ruling by favourites; still less could any one, by pretending to be the people's choice, impose himself on his vigorous understanding. He had intimate friends, with whom much of his time was passed, but they were under his influence in all things, and influenced him in none. Favour in other quarters, whether pretended or really enjoyed, was the sure preventive of any favour from him.

That this Prince in his private life had many virtues, we have already stated, with the qualification annexed of these being always, even as regarded his strong domestic affections, kept in subjection to his feelings as a sovereign. With regard to his general disposition, it must be added that he belonged to a class of men, not by any means the worst, but far beneath the best, in the constitution of their hearts, those who neither can forget a kindness nor an injury. Nor can this sketch be more appropriately closed than with

two remarkable examples of the implacable hatred he bore his enemies, and the steady affection with which he cherished his friends.

Among the former, Lord Chatham held the most conspicuous place, apparently from the time of the American question; for at an earlier period his correspondence with that great man was most friendly. But the following is his answer to Lord North's proposal that Lord Chatham's pension should be settled in reversion on his younger son, afterwards so well known as the second William Pitt. It bears date August 9th, 1775. "The making Lord Chatham's family suffer for the conduct of their father is not in the least agreeable to my sentiments. But I should choose to know him to be totally unable to appear again on the public stage before I agree to any offer of that kind, lest it should be wrongly construed into a fear of him; and indeed his political conduct the last winter was so abandoned, that he must, in the eyes of the dispassionate, have totally undone all the merit of his former conduct. As to any gratitude to be expected from him or his family, the whole tenor of their lives has shown them void of that most honourable sentiment. But *when decrepitude or death puts an end to him as a trumpet of sedition*, I shall make no difficulty in placing the second son's name instead of the father's, and making up the pension £3000."

From the truly savage feelings which this letter displays, it is agreeable to turn the eye upon so amiable a contrast as the following affords, written to the minister whom he ever loved beyond all his other servants, and only quitted when the Coalition united him to the Whigs:—

"Having paid the last arrears (Sept. 1777) on the Civil List, I must now do the same for you. I have understood, from your hints, that you have been in debt ever since you settled in life. I must therefore insist that you allow me to assist you with £10,000, or

£15,000, or even £20,000, if that will be sufficient. It will be easy for you to make an arrangement, or at proper times to take up that sum. You know me very ill if you think not that, of all the letters I ever wrote to you, this one gives me the greatest pleasure; and I want no other return but your being convinced that I love you as well as a man of worth, as I esteem you as a minister. Your conduct at a critical moment I never can forget."

These remarkable and characteristic letters naturally introduce to us his two celebrated correspondents, Lord Chatham and Lord North; the one, until Mr. Fox came upon the stage, of all his adversaries, the one he pursued with the most unrelenting hatred; the other, of all his servants, the one for whom he felt the warmest friendship.

LORD CHATHAM.

THERE is hardly any man in modern times, with the exception, perhaps, of Lord Somers, who fills so large a space in our history, and of whom we know so little, as Lord Chatham; and yet he is the person to whom every one would at once point, if desired to name the most successful statesman and most brilliant orator that this country ever produced. Of Lord Somers, indeed, we can scarcely be said to know anything at all. That he was a person of unimpeachable integrity, a judge of great capacity and learning, a firm friend of liberty, a cautious and safe counsellor in most difficult emergencies, all are ready to acknowledge. But the authority which he possessed among his contemporaries, the influence which his sound and practical wisdom exercised over their proceedings, the services which he was thus enabled to render in steering the constitution safe through the most trying times, and saving us from arbitrary power without paying the price of our liberties in anarchy and bloodshed,—nay, conducting the whole proceedings of a revolution with all the deliberation, and almost in the forms, of an ordinary legal proceeding; have surrounded his name with a mild yet imperishable glory, which, in the contrast of our dark ignorance respecting all the particulars and details of his life, gives the figure something altogether mysterious and ideal. It is now unfortunately too late, by supplying this information, to fill up the outline which the meagre records of his times have left us. But it is singular how much of Lord Chatham, who flourished within the memory

of the present generation, still rests upon vague tradition. As a statesman, indeed, he is known to us by the events which history has recorded to have happened under his administration. Yet even of his share in bringing these about, little has been preserved of detail. So, fragments of his speeches have been handed down to us, but these bear so very small a proportion to the prodigious fame which his eloquence has left behind it, that far more is manifestly lost than has reached us; while of his written compositions but a few letters have hitherto been given to the world.

The imperfect state of Parliamentary Reporting in his day is the great cause of this blank. From the time of his entering the House of Commons to that of his quitting it, the privileges of Parliament almost wholly precluded the possibility of regular and full accounts of debates reaching the public. At one period they were given under feigned names, as if held in the Senate of Rome by the ancient orators and statesmen; at another they were conveyed under the initials only of the names borne by the real speakers. Even when, somewhat later, these disguises were thrown aside, the speeches were composed by persons who had not been present at the debates, but gleaned a few heads of each speaker's topics from some one who had heard him; and the fullest and most authentic of all those accounts are merely the meagre outline of the subjects touched upon, preserved in the Diaries or Correspondence of some contemporary politicians, and presenting not even an approximation to the execution of the orators. Thus many of Lord Chatham's earlier speeches in the House of Commons, as now preserved, were avowedly the composition of Dr. Johnson, whose measured style, formal periods, balanced antitheses, and total want of pure racy English, betray their author at every line, while each debater is made to speak exactly in the same manner. For some years after he ceased to report, or rather to manufacture,

that is, from 1751 downwards, a Dr. Gordon furnished the newspapers with reports, consisting of much more accurate accounts of what had passed in debate, but without pretending to give more than the mere substance of the several speeches. The debates upon the American Stamp Act, in 1764, are the first that can be said to have been preserved at all, through the happy accident of Lord Charlemont, assisted by Sir Robert Deane, taking an extraordinary interest in the subject as bearing upon the grievances of Ireland; and accordingly they have handed down to us some notes, from internal evidence plainly authentic, of Lord Chatham's celebrated speeches upon that question. A few remains of his great displays in the House of Lords have in like manner been preserved, chiefly in the two speeches reported by Mr. Hugh Boyd; the second of which, the most celebrated of all, upon the employment of the Indians in the American war, there is reason to believe was revised and corrected by Lord Chatham himself; and if so, it was certainly the only one that ever underwent his revision. If any one will only compare the extreme slenderness of these grounds upon which to estimate a speaker's claim to renown, or to judge of the characteristics of his eloquence, with the ample means which we have of studying the merits of almost all the ancient orators, and examining their distinguishing qualities, he will be sensible how much any idea which we can form of Lord Chatham's oratory must rest upon tradition, that is, upon the accounts left by contemporary writers of its effects; and how little we are enabled to judge for ourselves by examining the specimens that remain of his composition. It seems little short of presumption, after this statement, to attempt including his character as an orator in the sketch which may be given of this great man. But the testimony of contemporaries may so far be helped by what remains of the oratory itself, as to make some faint con-

ceptions attainable of that eloquence which, for effect at least, has surpassed any known in modern times.

The first place among the great qualities which distinguished Lord Chatham, is unquestionably due to firmness of purpose, resolute determination in the pursuit of his objects. This was the characteristic of the younger Brutus, as he said, who had spared his life to fall by his hand—*Quicquid vult, id valde vult;* and although extremely apt to exist in excess, it must be admitted to be the foundation of all true greatness of character. Everything, however, depends upon the endowments in company of which it is found; and in Lord Chatham these were of a very high order. The quickness with which he could ascertain his object, and discover his road to it, was fully commensurate with his perseverance and his boldness in pursuing it; the firmness of grasp with which he held his advantage was fully equalled by the rapidity of the glance with which he discovered it. Add to this, a mind eminently fertile in resources; a courage which nothing could daunt in the choice of his means; a resolution equally indomitable in their application; a genius, in short, original and daring, which bounded over the petty obstacles raised by ordinary men—their squeamishness, and their precedents, and their forms, and their regularities—and forced away its path through the entanglements of this base undergrowth to the worthy object ever in view, the prosperity and the renown of his country. Far superior to the paltry objects of a grovelling ambition, and regardless alike of party and of personal considerations, he constantly set before his eyes the highest duty of a public man, to further the interests of his species. In pursuing his course towards that goal, he disregarded alike the frowns of power and the gales of popular applause, exposed himself undaunted to the vengeance of the Court, while he battled against its corruptions, and confronted, unappalled, the rudest shocks of public

indignation, while he resisted the dictates of pernicious agitators, and could conscientiously exclaim, with an illustrious statesman of antiquity, "Ego hoc animo semper fui ut invidiam virtute partam, gloriam non invidiam putarem!"

Nothing could be more entangled than the foreign policy of this country at the time when he undertook the supreme direction of her affairs: nothing could be more disastrous than the aspect of her fortunes in every quarter of the globe. With a single ally in Europe, the King of Prussia, and him beset by a combination of all the continental powers in unnatural union to effect his destruction; with an army of insignificant amount, and commanded by men only desirous of grasping at the emoluments, without doing the duties or incurring the risks of their profession; with a navy that could hardly keep the sea, and whose chiefs vied with their comrades on shore in earning the character given them by the new Minister,—of being utterly unfit to be trusted in any enterprise of the least apparent danger; with a generally prevailing dislike of both services, which at once repressed all desire of joining either, and damped all public spirit in the country, by extinguishing all hope of success, and even all love of glory—it was hardly possible for a nation to be placed in circumstances more inauspicious to military exertions; and yet war raged in every quarter of the world where our dominion extended, while the territories of our only ally, as well as those of our own sovereign in Germany, were invaded by France, and her forces by sea and land menaced our shores. In the distant possessions of the Crown the same want of enterprise and of spirit prevailed. Armies in the West were paralyzed by the inaction of a Captain who would hardly take the pains of writing a despatch to chronicle the nonentity of his operations; and in the East, while frightful disasters were brought upon our settlements by Barbarian

powers, the only military capacity that appeared in their defence was the accidental display of genius and valour by a merchant's clerk, who thus raised himself to celebrity.* In this forlorn state of affairs, which rendered it as impossible to think of peace, as hopeless to continue the yet inevitable war, the base and sordid views of politicians kept pace with the mean spirit of the military caste; and parties were split or united, not upon any difference or agreement of public principle, but upon mere questions of patronage and of share in the public spoil, while all seemed alike actuated by one only passion, the thirst alternately of power and of gain.

As soon as Mr. Pitt took the helm, the steadiness of the hand that held it was instantly felt in every motion of the vessel. There was no more of wavering counsels, of torpid inaction, of listless expectancy, of abject despondency. His firmness gave confidence, his spirit roused courage, his vigilance secured exertion, in every department under his sway. Each man, from the first Lord of the Admiralty down to the most humble clerk in the Victualling Office—each soldier, from the Commander-in-Chief to the most obscure contractor or commissary—now felt assured that he was acting or was indolent under the eye of one who knew his duties and his means as well as his own, and who would very certainly make all defaulters, whether through misfeasance or through nonfeasance, accountable for whatever detriment the commonwealth might sustain at their hands. Over his immediate coadjutors his influence swiftly obtained an ascendant which it ever after retained uninterrupted. Upon his first proposition for changing the conduct of the war, he stood single among his colleagues, and tendered his resignation should they persist in their dissent; they at once succumbed, and from that hour ceased to have an

* Mr. Clive, afterwards Lord Clive.

opinion of their own upon any branch of the public affairs. Nay, so absolutely was he determined to have the control of those measures, of which he knew the responsibility rested upon him alone, that he insisted upon the first Lord of the Admiralty not having the correspondence of his own department; and no less eminent a naval character than Lord Anson, as well as his junior Lords, was obliged to sign the naval orders issued by Mr. Pitt, while the writing was covered over from their eyes!

The effects of this change in the whole management of the public business, and in all the plans of the Government, as well as in their execution, were speedily made manifest to the world. The German troops were sent home, and a well-regulated militia being established to defend the country, a large disposable force was distributed over the various positions whence the enemy might be annoyed. France, attacked on some points, and menaced on others, was compelled to retire from Germany, soon afterwards suffered the most disastrous defeats, and, instead of threatening England and her allies with invasion, had to defend herself against attack, suffering severely in several of her most important naval stations. No less than sixteen islands, and settlements, and fortresses of importance, were taken from her in America, and Asia, and Africa, including all her West Indian colonies, except St. Domingo, and all her settlements in the East. The whole important province of Canada was likewise conquered; and the Havannah was taken from Spain. Beside this, the seas were swept clear of the fleets that had so lately been insulting our colonies, and even our coasts. Many general actions were fought and gained; one among them the most decisive that had ever been fought by our navy. Thirty-six sail of the line were taken or destroyed; fifty frigates; forty-five sloops of war. So brilliant a course of uninterrupted success had never, in modern times, attended the arms of any

nation carrying on war with other states equal to it in civilization, and nearly a match in power. But it is a more glorious feature in this unexampled Administration which history has to record, when it adds, that all public distress had disappeared; that all discontent in any quarter, both of the colonies and parent state, had ceased; that no oppression was anywhere practised, no abuse suffered to prevail; that no encroachments were made upon the rights of the subject, no malversation tolerated in the possessors of power; and that England, for the first time and for the last time, presented the astonishing picture of a nation supporting without murmur a widely-extended and costly war, and a people, hitherto torn with conflicting parties, so united in the service of the commonwealth that the voice of faction had ceased in the land, and any discordant whisper was heard no more. "These," (said the son of his first and most formidable adversary, Walpole, when informing his correspondent abroad, that the session, as usual, had ended without any kind of opposition or even of debate),—"These are the doings of Mr. Pitt, and they are wondrous in our eyes!"

To genius irregularity is incident, and the greatest genius is often marked by the eccentricity of its course, as if it disdained to move in the vulgar orbit. Hence he who is fitted by his nature, and trained by his habits, to be an accomplished "pilot in extremity," and whose inclinations carry him forth "to seek the deep when the waves run high," may be found, if not "to steer too near the shore," yet to despise the sunken rocks which they that can only be trusted in calm weather would have more surely avoided. To this rule it cannot be said that Lord Chatham afforded any exception; and although a plot had certainly been formed to eject him from the Ministry, leaving the chief control of affairs in the feeble hands of Lord Bute, whose only support was court favour, and whose chief talent lay in an expertness at intrigue, yet there can be little

doubt that this scheme was only rendered practicable by the hostility which the great Minister's unbending habits, his contempt of ordinary men, and his neglect of every-day matters, had raised against him among all the creatures both of Downing Street and St. James's. In fact, his colleagues, who necessarily felt humbled by his superiority, were needlessly mortified by the constant display of it; and it would have betokened a still higher reach of understanding, as well as a purer fabric of patriotism, if he, whose great capacity threw those subordinates into the shade, and before whose vigour in action they were sufficiently willing to yield, had united a little suavity in his demeanour with his extraordinary powers, nor made it always necessary for them to acknowledge as well as to feel their inferiority. It is certain that the insulting arrangement of the Admiralty, to which reference has been already made, while it lowered that department in the public opinion, rendered all connected with it his personal enemies; and, indeed, though there have since his days been Prime Ministers whom he would never have suffered to sit even as puisne lords at his boards, yet were one like himself again to govern the country, the Admiralty chief, who might be far inferior to Lord Anson, would never submit to the humiliation inflicted upon that gallant and skilful captain. Mr. Pitt's policy seemed formed upon the assumption that either each public functionary was equal to himself in boldness, activity, and resource, or that he was to preside over and animate each department in person. Such was his confidence in his own powers, that he reversed the maxim of governing, never to force your way where you can win it; and always disdained to insinuate where he could dash in, or to persuade where he could command. It thus happened that his colleagues were but nominally coadjutors, and though they durst not thwart him, yet rendered no heart-service to aid his schemes. Indeed it has clearly

appeared since his time that they were chiefly induced to yield him implicit obedience, and leave the undivided direction of all operations in his hands, by the expectation that the failure of what they were wont to sneer at as "Mr. Pitt's visions" would turn the tide of public opinion against him, and prepare his downfall from a height of which they felt that there was no one but himself able to dispossess him.

The true test of a great man—that at least which must secure his place among the highest order of great men—is his having been in advance of his age. This it is which decides whether or not he has carried forward the grand plan of human improvement; has conformed his views and adapted his conduct to the existing circumstances of society, or changed those so as to better its condition; has been one of the lights of the world, or only reflected the borrowed rays of former luminaries, and sat in the same shade with the rest of his generation at the same twilight or the same dawn. Tried by this test, the younger Pitt cannot certainly be said to have lived before his time, or shed upon the age to which he belonged the illumination of a more advanced civilization and more inspired philosophy. He came far too early into public life, and was too suddenly plunged into the pool of office, to give him time for the study and the reflection which can alone open to any mind, how vigorous soever may be its natural constitution, the views of a deep and original wisdom. Accordingly it would be difficult to glean, from all his measures and all his speeches, anything like the fruits of inventive genius; or to mark any token of his mind having gone before the very ordinary routine of the day, as if familiar with any ideas that did not pass through the most vulgar understandings. His father's intellect was of a higher order; he had evidently, though without much education, and with no science of any kind, yet reflected deeply upon the principles of human

action, well studied the nature of men, and pondered upon the structure of society. His reflections frequently teem with the fruits of such meditation, to which his constantly feeble health perhaps gave rise rather than any natural proneness to contemplative life, from whence his taste must have been alien; for he was eminently a man of action. His appeals to the feelings and passions were also the result of the same reflective habits, and the acquaintance which they had given him with the human heart. But if we consider his opinions, though liberal and enlightened upon each particular question, they rather may be regarded as felicitous from their adaptation to the actual circumstances in which he was called upon to advise or to act, than as indicating that he had seen very far into future times, and anticipated the philosophy which further experience should teach to our more advanced age of the world. To take two examples from the two subjects upon which he had both thought the most, and been the most strenuously engaged in handling them practically as a statesman, —our relations with France and with America:—The old and narrow notions of natural enmity with the one, and natural sovereignty over the other, were the guides of his whole opinions and conduct in those great arguments. To cultivate the relations of peace with our nearest neighbour, as the first of blessings to both nations, each being able to do the other most good in amity and most harm in hostility, never appears to have entered into the system of policy enlightened by that fiery soul, which could only see glory or even safety in the precarious and transient domination grasped by a successful war. To become the fast friends of those colonies which we had planted and long retained under our protecting government, and thus both to profit ourselves and them the more by suffering them to be as independent as ourselves, was an idea that certainly could not be said once to

have crossed his impetuous and uncompromising mind; for it had often been entertained by him, but only to be rejected with indignation and abhorrence, as if the independence of America were the loss of our national existence. Upon all less important questions, whether touching our continental or our colonial policy, his opinion was to the full as sound, and his views as enlarged, as those of any statesman of his age; but it would not be correct to affirm that on those larger ones, the cardinal, and therefore the trying, points of the day, he was materially in advance of his own times.

If we turn from the statesman to survey the orator, our examination must be far less satisfactory, because our materials are extremely imperfect, from the circumstances already adverted to. There is indeed hardly any eloquence, of ancient or of modern times, of which so little that can be relied on as authentic has been preserved; unless perhaps that of Pericles, Julius Cæsar, and Lord Bolingbroke. Of the actions of the two first we have sufficient records, as we have of Lord Chatham's; of their speeches we have little that can be regarded as genuine; although, by unquestionable tradition, we know that each of them was second only to the greatest orator of their respective countries;*

* Thucydides gives three speeches of Pericles, which he may very possibly have in great part composed for him. Sallust's speech of Cæsar is manifestly the writer's own composition; indeed it is in the exact style of the one he puts into Cato's mouth, that is, in his own style. It is, however, remarkable, that the first instance of Reporting was the precaution taken by Cicero to have the debate on the conspiracy preserved, as we find from Plutarch.—(Cato, c. 23.)

The following note is from Mr. Hazlitt's edition of the Duke of Wellington's speeches, and refers to Julius Cæsar's:—"It is hardly necessary to remark that we have no remains of his speeches; for the notes he gives of his addresses (*conciones*) to the soldiers, in his Commentaries, only are the heads, and were written long after; the speech in Sallust, like that of Cato, is plainly the historian's own composition. Sallust's diligence in collecting information upon that famous debate must have been confined to the topics merely, though Cicero had laid the foundation of reporting, and even of short-hand reporting, on that occasion. But even as to the topics,

while of Bolingbroke we only know, from Dean Swift, that he was the most accomplished speaker of his time; and it is related of Mr. Pitt (the younger), that when the conversation rolled upon lost works, and some said they should prefer restoring the books of Livy, some of Tacitus, and some a Latin tragedy, he at once decided for a speech of Bolingbroke. What we know of his own father's oratory is much more to be gleaned from contemporary panegyrics, and accounts of its effects, than from the scanty, and for the most part doubtful, remains which have reached us. The impression made upon Mr. Pitt himself, is described in a very interesting letter written after the debate of 31 May, 1777.*

the Fourth Catilinarian shows how unfaithful his account of the debate is. Indeed, nothing can be more unfair than his whole treatment of Cicero. Of Cæsar's letters two or three remain, and they are truly admirable."

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* The Hon. Wm. Pitt to the Countess of Chatham.

Hotel, King Street,
"My Dear Mother, Saturday Morning, May 31, 1777.

"I had not time to write last night, as the House did not rise till near ten, and I then went in quest of a dinner. In the way of information, therefore, this letter will come late; which you will have the goodness to forgive. It is with another motive that I write it; which is, that I cannot help expressing to you how happy beyond description I feel in reflecting that my father was able to exert, in their full vigour, the sentiments and eloquence which have always distinguished him.

"His first speech took up half-an-hour, and was full of all his usual force and vivacity. I only regretted, that he did not always raise his voice enough for all the House to hear everything he said. If they felt as I did, however, they must have heard abundantly enough to be charmed and transported.

"I have not time and I fear scarcely memory, to do justice to his particular expressions; most of which, I flatter myself, you will hear from himself, as well as, in general, the substance of what he said. He spoke a second time, in answer to Lord Weymouth, to explain the object of his motion, and his intention to follow it by one for the repeal of all the Acts of Parliament, which form the system of chastisement. This he did in a flow of eloquence, and with a beauty of expression, animated and striking beyond conception. The various incidents of the debate you will undoubtedly learn; so that I need not detain you with an account of them. You will, I think, also hear, that among the supporters of the motion, Lord

All accounts, however, concur in representing those effects to have been prodigious. The spirit and vehemence which animated its greater passages—their perfect application to the subject-matter of debate—the appositeness of his invective to the individual assailed—the boldness of the feats which he ventured upon—the grandeur of the ideas which he unfolded—the heart-stirring nature of his appeals,—are all confessed by the united testimony of his contemporaries; and the fragments which remain bear out to a considerable extent such representations; nor are we likely to be misled by those fragments, for the more striking portions were certainly the ones least likely to be either forgotten or fabricated. To these mighty attractions was added the imposing, the animating, the commanding power of a countenance singularly expressive; an eye so piercing that hardly any one could stand its glare; and a manner altogether singularly striking, original, and characteristic, notwithstanding its peculiarly defective and even awkward action. Latterly, indeed, his infirmities precluded all action; and he is described as standing in the House of Lords leaning upon his crutch, and speaking for ten minutes together in an under-tone of voice scarcely audible, but raising his notes to their full pitch when he broke out into one of his grand bursts of invective or exclamation. But, in his earlier time, his whole manner is represented as having been beyond conception animated and imposing. Indeed the things which he effected

Shelburne was as great as possible. His speech was one of the most interesting and forcible, I think, that I ever heard, or even can imagine. Lord Mansfield appeared to me to make a miserable attempt to mislead his hearers and cavil at the question.

"I have almost forgot my original object, which was only to congratulate you on this most happy event; on which I cannot say enough, though I feel it is unnecessary to say anything. I am going out of town at eleven with Lord Althorpe. Adieu, my dear Mother, and believe me,

"Your ever dutiful and affectionate Son,

"W. Pitt."

principally by means of it, or at least which nothing but a most striking and commanding tone could have made it possible to attempt, almost exceed belief. Some of these sallies are indeed examples of that approach made to the ludicrous by the sublime, which has been charged upon him as a prevailing fault, and represented under the name of *Charlatanerie*, —a favourite phrase with his adversaries, as in later times it has been with the ignorant undervaluers of Lord Erskine. It is related that once in the House of Commons he began a speech with the words "Sugar, Mr. Speaker,"—and then, observing a smile to pervade the audience, he paused, looked fiercely around, and with a loud voice, rising in its notes and swelling into vehement anger, he is said to have pronounced again the word "Sugar!" three times, and having thus quelled the house, and extinguished every appearance of levity or laughter, turned round and disdainfully asked, "Who will laugh at sugar now?" We have the anecdote upon good traditional authority; that it was believed by those who had the best means of knowing Lord Chatham is certain; and this of itself shows their sense of the extraordinary powers of his manner, and the reach of his audacity in trusting to those powers.

There can be no doubt that of reasoning,—of sustained and close argument,—his speeches had but little. His statements were desultory, though striking, perhaps not very distinct, certainly not at all detailed, and as certainly every way inferior to those of his celebrated son. If he did not reason cogently, he assuredly did not compress his matter vigorously. He was anything rather than a concise or a short speaker; not that his great passages were at all diffuse, or in the least degree loaded with superfluous words; but he was prolix in the whole texture of his discourse, and he was certainly the first who introduced into our senate the practice, adopted in the American war by

Mr. Burke, and continued by others, of long speeches, —speeches of two and three hours, by which oratory has gained little, and business less. His discourse was, however, fully informed with matter; his allusions to analogous subjects, and his references to the history of past events, were frequent; his expression of his own opinions was copious and free, and stood very generally in the place of any elaborate reasoning in their support. A noble statement of enlarged views, a generous avowal of dignified sentiments, a manly and somewhat severe contempt for all petty or mean views—whether their baseness proceeded from narrow understanding or from corrupt bias—always pervaded his whole discourse; and, more than any other orator since Demosthenes, he was distinguished by the grandeur of feeling with which he regarded, and the amplitude of survey which he cast upon the subject-matters of debate. His invective was unsparing and hard to be endured, although he was a less eminent master of sarcasm than his son, and rather overwhelmed his antagonist with the burst of words and vehement indignation, than wounded him by the edge of ridicule, or tortured him with the gall of bitter scorn, or fixed his arrow in the wound by the barb of epigram. These things seemed, as it were, to betoken too much labour and too much art—more labour than was consistent with absolute scorn—more art than could stand with heart-felt rage, or entire contempt inspired by the occasion, at the moment, and on the spot. But his great passages, those by which he has come down to us, those which gave his eloquence its peculiar character, and to which its dazzling success was owing, were as sudden and unexpected as they were natural. Every one was taken by surprise when they rolled forth—every one felt them to be so natural, that he could hardly understand why he had not thought of them himself, although into no one's imagination had they ever entered. If the quality

of being natural without being obvious is a pretty correct description of felicitous expression, or what is called fine writing, it is a yet more accurate representation of fine passages, or felicitous *hits* in speaking. In these all popular assemblies take boundless delight; by these above all others are the minds of an audience at pleasure moved or controlled. They form the grand charm of Lord Chatham's oratory; they were the distinguishing excellence of his great predecessor, and gave him at will to wield the fierce democratie of Athens, and to fulmine over Greece.

It was the sagacious remark of one of the most acute of critics,* as well as historical inquirers, that criticism never would be of any value until critics cited innumerable examples. In sketching the character of Lord Chatham's oratory this becomes the more necessary, that so few now living can have any recollection of it, and that all our knowledge of its peculiar nature rests upon a few scattered fragments. There is, however, some security for our deducing from these a correct notion of it, because they certainly, according to all accounts, were the portions of his discourse which produced the most extraordinary effect, on which its fame rests, and by which its quality is to be ascertained. A few of these may, therefore, be referred to in closing the present imperfect outline of this great man's eloquence.

His remark on confidence, when it was asked by the ministry of 1766, for whom he had some forbearance rather than any great respect, is well known. He said their characters were fair enough, and he was always glad to see such persons engaged in the public service; but, turning to them with a smile, very courteous, but not very respectful, he said—"Confide in you? Oh no—you must pardon me, gentlemen—

* Hume—Essays.

youth is the season of credulity—confidence is a plant of slow growth in an aged bosom!"

Some one, having spoken of "the obstinacy of America," said "that she was almost in open rebellion." Mr. Pitt exclaimed, "I rejoice that America has resisted. Three millions of people, so dead to all the feelings of liberty as voluntarily to let themselves be made slaves, would have been fit instruments to make slaves of all the rest!"—Then speaking of the attempt to keep her down—"In a just cause of quarrel you may crush America to atoms; but in this crying injustice" (Stamp Act)—"I am one who will lift up my hands against it—In such a cause even your success would be hazardous. America, if she fell, would fall like the strong man; she would embrace the pillars of the state, and pull down the constitution along with her. Is this your boasted peace—to sheathe the sword, not in its scabbard, but in the bowels of your countrymen?"—It was in this debate that Mr. Burke first spoke, and Mr. Pitt praised his speech in very flattering terms.

"Those iron barons (for so I may call them when compared with the silken barons of modern days) were the guardians of the people; and three words of their barbarous Latin, *nullus liber homo*, are worth all the classics. Yet their virtues were never tried in a question so important as this." (The Pretension of Privilege in the House of Commons)—"A breach is made in the Constitution—the battlements are dismantled—the citadel is open to the first invader—the walls totter—the place is no longer tenable—what then remains for us but to stand foremost in the breach, to repair it, or to perish in it?—Unlimited power corrupts the possessor; and this I know, that where law ends, there tyranny begins."

In reference to the same subject, the expulsion of Mr. Wilkes, he exclaimed in a subsequent debate—"The Constitution at this moment stands violated

If the breach be effectually repaired, the people will return to tranquillity of themselves. If not, let discord reign for ever!—I know to what point my language will appear directed. But I have the principles of an Englishman, and I utter them without fear or reserve. Rather than the Constitution should be tamely given up, and our birthright be surrendered to a despotic Minister, I hope, my Lords, old as I am, that I shall see the question brought to an issue, and fairly tried between the people and the Government."—Again he said—"Magna Charta—The Petition of Right—the Bill of Rights—form the Bible of the English Constitution. Had some of the King's unhappy predecessors trusted less to the Commentary of their advisers, and been better read in the Text itself, the glorious Revolution might have remained only possible in theory, and their fate would not now have stood upon record, a formidable example to all their successors."—"No man more than I respects the just authority of the House of Commons—no man would go farther to defend it. But beyond the line of the Constitution, like every exercise of arbitrary power, it becomes illegal, threatening tyranny to the people, destruction to the state. Power without right is the most detestable object that can be offered to the human imagination; it is not only pernicious to those whom it subjects, but works its own destruction. *Res detestabilis et caduca.* Under pretence of declaring law, the Commons have made a law, a law for their own case, and have united in the same persons the offices of legislator and party and judge."

These fine passages, conveying sentiments so noble and so wise, may be read with advantage by the present House of Commons when it shall again be called on to resist the Judges of the land, and to break its laws, by opening a shop for the sale of libels.

His character—drawn, he says, from long experience—of the Spaniards, the high-minded chivalrous Castilians, we believe to be as just as it is severe. Speaking of the affair of Falkland's Island, he said—"They are as mean and crafty as they are insolent and proud. I never yet met with an instance of candour or dignity in their proceedings; nothing but low cunning, artifice, and trick. I was compelled to talk to them in a peremptory language. I submitted my advice for an immediate war to a trembling council. You all know the consequences of its being rejected."—The speech from the throne had stated that the Spanish Government had disowned the act of its officer. Lord Chatham said—"There never was a more odious, a more infamous faleshood imposed on a great nation. It degrades the King, it insults the Parliament. His Majesty has been advised to affirm an absolute falsehood. My Lords, I beg your attention, and I hope I shall be understood when I repeat, that it is an absolute, a palpable falsehood. The King of Spain disowns the thief, while he leaves him unpunished, and profits by his theft. In vulgar English, he is the receiver of stolen goods, and should be treated accordingly." How would all the country, at least all the canting portion of it, resound with the cry of "Coarse! vulgar! brutal!" if such epithets and such comparisons as these were used in any debate now-a-days, whether among the "silken barons," or the "squeamish Commons" of our time!

In 1775 he made a most brilliant speech on the war. Speaking of General Gage's inactivity, he said it could not be blamed, it was inevitable. "But what a miserable condition," he exclaimed, "is ours, where disgrace is prudence, and where it is necessary to be contemptible! You must repeal these acts," (he said, alluding to the Boston Ports and Massachusetts Bay Bills,) "and you WILL repeal them. I pledge myself for it, that you will repeal them. I stake my reputa-

tion on it. I will consent to be taken for an idiot if they are not finally repealed." Every one knows how true this prophecy proved. The concluding sentence of the speech has been often cited,—"If the ministers persevere in misleading the King, I will not say that they can alienate the affections of his subjects from his crown; but I will affirm that they will make the crown not worth his wearing. I will not say that the King is betrayed; but I will pronounce that the kingdom is undone."

Again, in 1777, after describing the cause of the war and "the traffic and barter driven with every little pitiful German Prince that sells his subjects to the shambles of a foreign country," he adds, "The mercenary aid on which you rely irritates to an incurable resentment the minds of your enemies, whom you overrun with the sordid sons of rapine and of plunder, devoting them and their possessions to the rapacity of hireling cruelty! If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms, never! never! never!" Such language, used in the modern days of ultra loyalty and extreme decorum, would call down upon his head who employed it the charge of encouraging rebels, and partaking as an accomplice in their treasons.

It was upon this memorable occasion that he made the famous reply to Lord Suffolk, who had said, in reference to employing the Indians, that "we were justified in using all the means which God and nature had put into our hands." The circumstance of Lord Chatham having himself revised this speech is an inducement to insert it here at length.

"I am astonished," exclaimed Lord Chatham, as he rose, "shocked, to hear such principles confessed, to hear them avowed in this House or in this country; principles equally unconstitutional, inhuman, and unchristian.

"My Lords, I did not intend to have trespassed again on your atten-

tion, but I cannot repress my indignation. I feel myself impelled by every duty. My Lords, we are called upon, as members of this House, as men, as Christian men, to protest against such notions, standing near the throne, polluting the ear of majesty. *That God and nature put into our hands!*—I know not what idea that Lord may entertain of God and nature, but I know that such abominable principles are equally abhorrent to religion and humanity. What! attribute the sacred sanction of God and nature to the massacres of the Indian scalping-knife, to the cannibal savage, torturing, murdering, roasting, and eating; literally, my Lords, eating the mangled victims of his barbarous battles! Such horrible notions shock every precept of religion, divine and natural, and every generous feeling of humanity; and, my Lords, they shock every sentiment of honour; they shock me as a lover of honourable war, and a detester of murderous barbarity.

"These abominable principles, and this more abominable avowal of them, demand most decisive indignation. I call upon that Right Reverend Bench, those holy ministers of the Gospel, and pious pastors of the Church; I conjure them to join in the holy work, and to vindicate the religion of their God. I appeal to the wisdom and the law of this Learned Bench, to defend and support the justice of their country. I call upon the Bishops to interpose the unsullied sanctity of their lawn, upon the learned Judges to interpose the purity of their ermine, to save us from this pollution. I call upon the honour of your Lordships to reverence the dignity of your ancestors, and to maintain your own. I call upon the spirit and humanity of my country to vindicate the national character. I invoke the genius of the constitution. From the tapestry that adorns these walls, the immortal ancestor of this noble Lord frowns with indignation at THE DISGRACE OF HIS COUNTRY! In vain he led your victorious fleets against the boasted Armada of Spain; in vain he defended and established the honour, the liberties, the religion, the Protestant religion of his country, against the arbitrary cruelties of Popery and the Inquisition, if these more than Popish cruelties and inquisitorial practices are let loose amongst us, to turn forth into our settlements, among our ancient connexions, friends, and relations, the merciless cannibal, thirsting for the blood of man, woman, and child—to send forth the infidel savage—against whom? Against your Protestant brethren: to lay waste their country, to desolate their dwellings, and extirpate their race and name with these horrible hell-hounds of savage war—*hell-hounds, I say, of savage war.* Spain armed herself with bloodhounds to extirpate the wretched natives of America, and we improve on the inhuman example of even Spanish cruelty: we turn loose these savage hell-hounds against our brethren and countrymen in America, of the same language, laws, liberties, and religion, endeared to us by every tie that should sanctify humanity. My Lords, this awful subject, so important to our honour, our constitution, and our religion, demands the most solemn and effectual inquiry; and I again call upon your Lordships, and the united powers of the state, to examine it thoroughly and decisively, and to stamp upon it an indelible stigma of the public abhorrence. And I again implore those holy Prelates of our religion to do away these iniquities from among us; let them perform a lustration—let them purify this House and this country from this sin.

"My Lords, I am old and weak, and at present unable to say more;

but my feelings and my indignation were too strong to have said less. I could not have slept this night in my bed, or have reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles."*

There are other celebrated passages of his speeches in all men's mouths. His indignant and contemptuous answer to the minister's boast of driving the Americans before the army—"I might as well think of driving them before me with this crutch!"— is well known. Perhaps the finest of them all is his allusion to the maxim of English law, that every man's house is his castle. It was the one that Lord Denman always admired the most. The close agreement of Lord Chatham with that great Magistrate on the question of Parliamentary Privilege may well be noted. "The poorest man may in his cottage bid defiance to all the forces of the crown. It may be frail—its roof may shake—the wind may blow through it—the storm may enter—the rain may enter—but the King of England cannot enter!—all his force dares not cross the threshold of the ruined tenement!"

These examples may serve to convey a pretty accurate idea of the peculiar vein of eloquence which distinguished this great man's speeches. It was of the very highest order; vehement, fiery, close to the subject, concise, sometimes eminently, even boldly, figurative; it was original and surprising, yet quite natural. To call it argumentative would be an abuse of terms; but it had always a sufficient foundation of reason to avoid any appearance of inconsistency, or error, or wandering from the point. So the greatest passages in the Greek orations were very far from being such as could stand the test of close examination in regard to their argument. Yet would it be hypercritical indeed to object that Demosthenes, in the

* There hangs so much doubt upon the charge brought against Lord Chatham, of having himself employed the Indians in the former war, that the subject is reserved for the Appendix.

most celebrated burst of all ancient eloquence, argues for his policy being rewarded although it led to defeat, by citing the example of public honours having been bestowed upon those who fell in gaining five great victories.

Some have compared Mr. Fox's eloquence to that of Demosthenes; but it resembled Lord Chatham's just as much, if not more. It was incomparably more argumentative than either the Greek or the English orator's; neither of whom carried on chains of close reasoning as he did, though both kept close to their subject. It was, however, exceedingly the reverse of the Attic orator's in method, in diction, in conciseness. It had nothing like arrangement of any kind. Except in the more vehement passages, its diction was perhaps as slovenly, certainly as careless as possible, betokening indeed a contempt of all accurate composition. It was diffuse in the highest degree, and abounded in repetitions. While the Greek was concise, almost to being jejune, the Englishman was diffuse, almost to being prolix. How the notion of comparing the two together ever could have prevailed seems unaccountable, unless it be that men have supposed them alike because they were both vehement, and both kept the subject in view rather than run after ornament. But that the most elaborate and artificial compositions in the world should have been likened to the most careless, and natural, and unprepared, that were ever delivered in public, would seem wholly incredible if it were not true. The bursts of Mr. Fox, however, though less tersely and concisely composed, certainly have some resemblance to Lord Chatham's, only that they betray far less fancy, and, however vehement and fiery, are incomparably less bold. Mr. Pitt's oratory, though admirably suited to its purpose, and as perfect a business kind of speaking as ever was heard, certainly resembled none of the three others who have been named. In point of genius, unless perhaps

for sarcasm, he was greatly their inferior; although, from the unbroken fluency of his appropriate language, and the power of an eminently sonorous voice, he produced the most prodigious effect.

It remains to speak of Lord Chatham as a private man, and he appears to have been in all respects exemplary and amiable. His disposition was exceedingly affectionate. The pride, bordering upon insolence, in which he showed himself encased to the world, fell naturally from him, and without any effort to put it off, as he crossed the threshold of his own door. To all his family he was simple, kindly, and gentle. His pursuits were of a nature that showed how much he loved to unbend himself. He delighted in poetry and other light reading; was fond of music; loved the country; took peculiar pleasure in gardening; and had even an extremely happy taste in laying out grounds. His early education appears to have been further prosecuted afterwards; and he was familiar with the Latin classics, although there is no reason to believe that he had much acquaintance with the Greek. In all our own classical writers he was well versed; and his time was much given to reading them. A correspondence with his nephew, which Lord Grenville published about forty years ago, showed how simple and classical his tastes were, how affectionate his feelings, and how strong his sense of both moral and religious duty. These letters are reprinted in a work which has been published since the first edition of this book, because the answers have since been recovered; and it contains a great body of other letters both to and from him. Amongst the latter are to be found constant tokens of his amiable disposition.

The most severe judge of human actions, the critic whose searching eye looks for defects in every portrait, and regards it as fiction, not a likeness, when he fails to find any, will naturally ask if such a character as Lord Chatham's could be without reproach; if

feelings so strong never boiled over in those passions which are dangerous to virtue; if fervour of soul such as his could be at all times kept within the bounds which separate the adjoining provinces of vehemence and intemperance? Nor will he find reason to doubt the reality of the picture which he is scrutinizing when we have added the traits that undeniably disfigured it. Some we have already thrown in; but they rather are shades that give effect and relief to the rest, than deformities or defects. It must now be further recorded that not only was he impracticable, difficult beyond all men to act with, overbearing, impetuously insisting upon his own views being adopted by all as infallible, utterly regardless of other men's opinions when he had formed his own, as little disposed to profit by the lights of their wisdom as to avail himself of their co-operative efforts in action — all this is merely the excess of his great qualities running loose uncontrolled; but he appears to have been very far from sustaining the exalted pitch of magnanimous independence and utter disregard of sublunary interests which we should expect him to have reached and kept as a matter of course, from a more cursory glance at the mould in which his lofty character was cast. Without allowing that a considerable admixture of the clay which forms earthly mortals must have entered into his composition, how can we account for the violence of his feelings, when George III. showed him some small signs of kindness in the closet, upon his giving up the seals of office? "I confess, Sir, I had but too much reason to expect your Majesty's displeasure. I had not come prepared for this exceeding goodness. Pardon me, Sir," he passionately exclaimed, "it overpowers—it oppresses me!" and he burst into tears in the presence of one who, as a moment's reflection must have convinced him, was playing a part to undermine his character, destroy

his influence, and counteract all his great designs for his country's good. But some misplaced sentiments of loyalty may have produced this strange paroxysm of devotion. The colour assumed by his gratitude for favours conferred upon his family and himself was of a more vulgar hue, and still less harmonized with the Great Commoner's exalted nature. On learning the King's intention to grant him a pension (in order effectually to undo him), he writes to Lord Bute a letter full of the most humiliating effusions of extravagant thankfulness—speaks of "being confounded with the King's condescension in deigning to bestow one thought on the mode of extending to him his royal beneficence,"—considers "any mark of approbation flowing from such a spontaneous source of clemency as his comfort and his glory,"—and prostrates himself in the very dust for daring to refuse the kind of provision tendered "by the King in a manner so infinitely gracious,"—and for proposing, instead of it, a pension to his family. When this prayer was granted, the effusions of gratitude "for these unbounded effects of beneficence and grace which the most benign of sovereigns has condescended to bestow," are still more extravagant; and "he dares to hope that the same royal benevolence which showers on the unmeritorious such unlimited benefits, may deign to accept the genuine tribute of the truly feeling heart with equal condescension and goodness." It is painful to add what truth extorts, that this is really not the sentiment and the language with which a patriot leaves his sovereign's councils upon a broad difference of honest opinion, and after being personally ill-used by that monarch's favourites; but the tone of feeling, and even the style of diction, in which a condemned felon, having sued for mercy, returns thanks when his life has been spared. The pain of defacing any portion of so noble a portrait as Lord Chatham's must

not prevent us from marking the traits of a somewhat vulgar, if not a sordid, kind, which are to be found on a closer inspection of the original.

Reference has been made to the generally infirm state of his bodily health, but a report was very prevalent that at one period of his life he laboured under some depression of spirits, aggravated in all probability by the treatment which he had experienced from inferior minds, devoid of all gratitude for his former services, and all due appreciation of his great capacity, may readily be admitted. It is also the fact, that through repeated attacks of an hereditary gout, to which he was from his early age a martyr, he experienced great irritability during the same period, namely, that of his last Administration. The intrigues of his Cabinet, his unhappy differences with George Grenville first, and afterwards with Lord Temple also, his brothers-in-law, together with the admitted severity of his gout during the time in question, will sufficiently explain the reluctance which he showed to engage in business, to attend Cabinet meetings, and to present himself at Court. The remaining circumstances relied upon,—as his squandering away the ample legacy of Sir William Pynsent, and his impetuous proceedings in carrying on improvements at his Kentish villa, with no regard to expense, and even little attention to the period of the day or night when he required the work to be done,—may all be well accounted for by the known ardour of his disposition; and are truly to be reckoned among the natural ebullitions of the same vehement determination of purpose which, exerted upon greater things, formed the leading feature of his commanding character. The same kind of charge has been made against Napoleon, from the like overflowings having been remarked of a genius grand, and consistently grand, while it occupied only its proper channel; and imputations of this kind, it must be observed, are

always acceptable to those who envy the greatness which they cannot aspire to emulate, and misconstrue actions which they cannot comprehend.

Such was the man whom George III. most feared, most hated, and most exerted his kingcraft to disarm; and such, unhappily, was his momentary success in this long-headed enterprise against the liberties of his people and their champions; for Lord Chatham's popularity, struck down by his pension, was afterwards annihilated by his peerage.

Rhetoric

LORD NORTH.

THE minister whom George III. most loved was, as has been already said, Lord North, and this extraordinary favour lasted until the period of the Coalition. It is no doubt a commonly-received notion, and was at one time an article of belief among the popular party, that Lord Bute continued his secret adviser after the termination of his short administration; but this is wholly without foundation. The King never had any kind of communication with him, directly or indirectly; nor did he ever see him but once, and the history of that occurrence suddenly puts the greater part of the stories to flight which are current upon this subject. His aunt, the Princess Amelia, had some plan of again bringing the two parties together, and on a day when George III. was to pay her a visit at her villa of Gunnersbury, near Brentford, she invited Lord Bute, whom she probably had never informed of her foolish intentions. He was walking in the garden when she took her nephew down stairs to view it, saying there was no one there but an old friend of his, whom he had not seen for some years. He had not time to ask who it might be, when, on entering the garden, he saw his former minister walking up an alley. The King instantly turned back to avoid him, reproved the silly old woman sharply, and declared that, if ever she repeated such experiments, she had seen him for the last time in her house. The assertion that the common reports are utterly void of all foundation, and that no communication whatever of any kind or upon any matter, public or private, ever

took place between the parties, we make upon the most positive information, proceeding directly both from George III. and from Lord Bute. But we go farther: the story is contrary to all probability; for that Prince, as well as others of his family, more than suspected the intimacy between his old governor and his royal mother, and, according to the nature of princes of either sex, he never forgave it. The likelihood is, that this came to his knowledge after the period of his first illness, and the Regency Bill which he, in consequence of that circumstance, proposed to parliament; for it is well known that he then had so much regard for the Dowager Princess as to turn out George Grenville because he passed her over as Regent. Consequently, the discovery which we are supposing him to have made must have been some time after Lord Bute's ministry closed. Certain it is that the feeling towards him had become, for some reason or other, not neutral, negative, or passive; but such as rules men, and still more princes, when favour is succeeded by dislike; for we may then say what was so wittily observed respecting Louis XV. on a very different occasion—"Il n'y a rien de petit chez les grands." His correspondence with his other ministers, to which we have had access, speaks the same language; a very marked prejudice is constantly betrayed against Scotchmen and Scotch politics.

The origin of Lord North's extraordinary favour was his at once consenting to take the office of prime minister when the Duke of Grafton, in a moment of considerable public difficulty and embarrassment, of what, in those easy days of fair weather, was called danger, suddenly threw up the seals, and retired to his diversions and his mistress at Newmarket. Lord North was then Chancellor of the Exchequer, and leader of the House of Commons. He had thus already the most arduous by far of the government duties cast upon him; and his submitting to bear also

the nominal functions and real patronage and power of the First Lord of the Treasury seemed but a slender effort of courage or self-devotion. As such, however, the King considered it; nor during the disastrous and really difficult times which his own obstinate bigotry and strong tyrannical propensities brought upon the country, did he ever cease to feel and to testify the lively sense he always felt of the obligation under which Lord North had laid him personally, by coming to his assistance upon that emergency. In fact, responsibility, which, to almost all official personages, proves the greatest trial, is the most heavily felt, and the most willingly shunned, presses with peculiar weight upon the great public functionary who by law is wholly exempt from it, and in practice never can know it, unless during the interval between one ministry and another. The less he is in general accustomed to this burthen, the more hard does he find it to bear when he has no minister to cast it upon. Accordingly kings are peculiarly helpless, extremely anxious, and not a little alarmed, when any event has, as they term it, "left them without a government." The relief is proportionably great which they experience when any one, after such an interregnum in times of difficulty, "comes (as they also term it) to their assistance," and "consents to stand by them." This Lord North did for George III. in 1772; and his conduct never was forgotten by that Prince. Indeed, the gratitude and personal affection is very remarkable which he showed ever after; at least till the fatal Coalition on which so many political reputations were shipwrecked, and so total a loss was made of both court and popular favour; and it forms one of the not very numerous amiable traits in his character. A striking instance has already been given in speaking of this monarch.

It must be acknowledged that he was singularly fortunate in the minister whom he thus obtained, and indeed in the change which he made. The Duke of

Grafton, though a man endowed with many valuable qualities for his high station, remarkable for a liberality on ecclesiastical matters rare in any rank, and any one thing rather than the character painted by the persevering malice and audacious calumnies of Junius, who made him and the Duke of Bedford, together with Lord Mansfield, the choice objects of his unsparing and systematic abuse, was nevertheless of no great weight in debate, and of habits which the aristocratic life in those days had little fitted to meet the unceasing claims of official duty upon a statesman's time and attention. The industry of professional slanderers, too, being counteracted by no brilliant political achievements, had concurred with the discontents prevailing at home, and dissensions yet more formidably showing themselves in the colonies, to lower his reputation in the country, and to make the task of government such as he plainly shrank from.

The helm, thus abandoned, fell into the hands of Lord North, then in the vigour of his faculties, in no respect disadvantageously known to the country, and an undoubted favourite with the House, which for some time he had led. His success there was very considerable. Few men in any station have, indeed, left behind them a higher reputation as a debater, and above all, as the representative of the government. We now speak of his fame after his accession to the chief command in the public councils, as well as the warfare of parliament, had consolidated his authority, exhibited his debating powers, and multiplied his victories. It was his lot to maintain the conflict in times of unprecedented difficulty, and against antagonists such as no minister ever had to meet, if we except Mr. Addington, who was speedily overthrown in the rencounter. The resistance of our whole American empire had ended in a general rebellion, and all the military prowess failed to quell it, as all the political measures of the government had failed to prevent it, or rather had ripened dis-

content into revolt. A series of political disappointments first, and then of military disasters, had made our American affairs hopeless, when the war extended itself to Europe, and our hitherto invincible navy could not prevent the English coasts and even harbours from being insulted, while our West India islands were ravaged, and our trade in those seas was swept away by the enemy's marine. Nor had the nation the accustomed consolation, and government the usual topic of defence, that our disasters befel us through the proverbially fickle fortune of war and the chances of the elements. Every one failure could be traced to the perverse course of impolicy and injustice combined, in which the colonial revolt took its rise. The Americans, unprepared for resistance, and unwilling to risk it, had been driven on by the tyrannical bigotry which presided over our councils, and for which the King was really answerable, although by the fictions of the constitution his servants only could be blamed. Add to this, that the opposition was led first by Mr. Burke, and afterwards by Mr. Fox, both in the prime of their extraordinary faculties, ranking among their zealous adherents such men as Barrè, Dunning, Lee, supported by the whole phalanx of the Whig aristocracy, and backed always by the prodigious weight of Lord Chatham's authority; occasionally by the exertions of his splendid eloquence, burning brighter than ever as it approached the hour of its extinction. The voice of the people, at first raised against the colonies, soon became loud against the government; and each blunder and each disaster made the storm of public indignation rage more and more violently. Even in point of numbers the parliamentary forces were not so unequally matched as we have seen them during subsequent seasons of warlike discomfiture; for while Mr. Pitt has had majorities of three or four to one in his support, under all the failures of his continental projects, Lord North was frequently reduced to fight with majorities so scanty

as rather resembled the more recent balance of parliamentary power, than the ordinary workings of our constitution.

Such was the strife, and in such untoward circumstances, which Lord North had to maintain, with the help only of his attorney and solicitor-generals, Thurlow and Wedderburn, to whom was afterwards added Dundas. But a weight far more than sufficient to counterbalance this accession was about the same time flung into the opposite scale, and rendered its preponderance still more decided. Mr. Pitt signalized his entrance into Parliament by the most extraordinary eloquence, at once matured and nearly perfect in its kind, and by lending all its aid and all its ornament to the opposition. Nothing daunted, the veteran minister persevered in maintaining the conflict, and was only driven from the helm after he had fought triumphantly for six years against the greater part of the Whig chiefs, and desperately for two more against the whole of the body thus powerfully reinforced.

All contemporary reports agree in representing his talents as having shone with a great and a steady lustre during this singularly trying period. Without any pretensions to fill the higher ranks of eloquence, with no accomplishments of learning beyond the scholarship which a well-educated Englishman gains at Oxford, with political information such as the historical reading of well-informed men could give, he displayed so thorough an acquaintance with official and Parliamentary business as easily supplied all defects in those days of scanty political acquirement, while his clear excellent sense, which never failed him and constantly gave him the victory over men of more brilliant genius; his natural tact, still further improved by practice and deep knowledge of men; his ready fluency; his cool determined courage—would altogether have made him a most accomplished debater, even independent of those peculiar qualities in which

he, and indeed all his family, excelled most other men — qualities of singular virtue in any station of either house of Parliament, but in him who holds the first place, of most sovereign efficacy in retaining and rallying his followers, and in conciliating the audience at large—a wit that never failed him, and a suavity of temper that could never be ruffled. Combating his powerful adversaries at such a disadvantage as he, for the most part, was compelled to work up against, from the almost unbroken series of failures which he was called to defend or extenuate, his tactics were greatly admired as well as his gallantry. Nothing perhaps in this way ever showed both skill and boldness more than his unexpectedly granting a motion for inquiring into the State of the Nation, supposed in parliamentary procedure to be a vote of distrust in the Ministry; for when, to a long and powerful speech introducing that proposition, he contented himself with making an able and complete reply, and then suddenly professed his full readiness to meet the question in detail, by going at once into the committee, the enemy were taken altogether unprepared, and the whole affair evaporated in smoke.

To give examples of his unbroken good-humour, as enviable as it was amiable, and perhaps still more useful than either, would be to relate the history of almost each night's debate during the American war. The rage of party never was carried to greater excess, nor ever more degenerated into mere personal violence. Constant threats of impeachment, fierce attacks upon himself and all his connexions, mingled execration of his measures and scorn of his capacity, bitter hatred of his person—the elaborate, and dazzling, and learned fancy of Burke, the unbridled licence of invective in which the young blood of Fox nightly boiled over, the epigrams of Barrè, the close reasoning and legal subtlety of Dunning, the broad humour and argumentative sarcasm of Lee—were, without intermission, exhausted upon the minister, and seemed to

have no effect upon his habitually placid deportment, nor to consume his endless patience, while they wearied out his implacable antagonist. By a plain homely answer he could blunt the edge of the fiercest declamation or most refined sarcasm; with his pleasantry, never far-fetched, nor ever over-done, or misplaced, or forced, he could turn away wrath and refresh the jaded listeners, while, by his undisturbed temper, he made them believe he had the advantage, and could turn into a laugh, at the assailant's expense, the invective which had been destined to crush himself. On one or two occasions, not many, the correspondence of contemporary writers makes mention of his serenity having been ruffled, as a proof to what excesses of violence the opposition had been carried, but also as an occurrence almost out of the ordinary course of nature. And, truly, of those excesses there needs no other instance be cited than Mr. Fox declaring, with much emphasis, his opinion of the minister to be such that he should deem it unsafe to be alone with him in a room.

But if it would be endless to recount the triumphs of his temper, it would be equally so and far more difficult to record those of his wit. It appears to have been of a kind peculiarly characteristic, and eminently natural; playing easily and without the least effort; perfectly suited to his placid nature, by being what Clarendon says of Charles II.'s, "a pleasant, affable, recommending sort of wit;" wholly unpretending; so exquisitely suited to the occasion that it never failed of effect, yet so readily produced and so entirely unambitious, that although it had occurred to nobody before, every one wondered it had not suggested itself to all. A few only of his sayings have reached us, and these, as might be expected, are rather things which he had chanced to coat over with some sarcasm or epigram that tended to preserve them; they consequently are far from giving an idea of his habitual

pleasantry and the gaiety of thought which generally pervaded his speeches. Thus, when a vehement declaimer, calling aloud for his head, turned round and perceived his victim unconsciously indulging in a soft slumber, and becoming still more exasperated, denounced the Minister as capable of sleeping while he ruined his country—the latter only complained how cruel it was to be denied a solace which other criminals so often enjoyed, that of having a night's rest before their fate. When surprised in a like indulgence during the performance of a very inferior artist, who, however, showed equal indignation at so ill-timed a recreation, he contented himself with observing how hard it was that he should be grudged so very natural a release from considerable suffering; but, as if recollecting himself, added, that it was somewhat unjust in the gentleman to complain of him for taking the remedy which he had himself been considerate enough to administer. The same good-humour and drollery quitted him not when in opposition. Every one has heard of the speech which, if it had failed to injure the objects of its attack, was very effectual in affixing a name upon its honest and much respected author. On Mr. Martin's proposal to have a starling placed near the chair and taught to repeat the cry of "Infamous coalition!" Lord North coolly suggested that, as long as the worthy member was preserved to them, it would be a needless waste of the public money, since the starling might well perform his office by deputy. That in society such a man must have been the most delightful of companions may well be supposed. In his family, and in all his private intercourse as in his personal character, he was known to be in every respect amiable; of scrupulous integrity and unsullied honour.

As a statesman, his merits are confessedly far inferior to those which clothed him as a debater and as a man. The American war is the great blot upon his fame; for

his share in the Coalition was only exceptionable on account of the bitterness with which his adversaries had so long pursued him; and if they could submit to the fellowship of one upon whom they had heaped such unmeasured abuse, they seemed to recant, or even to confess that the opinions which they had previously professed of him they had not really entertained. That ill-fated measure of the Whigs seemed to be rather a tribute of tardy justice to their great adversary, and it was not for him either to reject it or to scrutinize the motives from which it was paid. But the policy towards our colonies, of which he had been the leading advocate in Parliament, and for which he was primarily responsible as minister, can admit of no defence; nor in his position, and upon so momentous a question, is it possible to urge, even in extenuation of his offending, that he was all along aware of the King's egregious folly, which obstinately persisted in a hopeless and ruinous struggle against the liberties of his people. That this, however, was the fact, there exists no kind of doubt; he was long resolved to quit the helm, because George III. insisted on a wrong course being steered —that helm which he ought to have quitted as soon as his mind was made up to differ with the owner of the vessel, unless he were permitted to follow his own course; and he was only kept at his post by constant entreaties, by monthly expostulations, by the most vehement protestations of the misguided Prince against a proceeding which must leave him helpless in the hands of his implacable enemies, and even by promises always renewed to let him go would he but remain for a few weeks, until some other arrangement could be made. It is fit that this certain and important fact should be stated; and we have before us the proofs of it under the hand of the Royal Suitor to his reluctant servant's grace and favour, whose apparently fixed purpose of retirement he uses all these expedients to defeat, or at least to obstruct and retard, if he cannot

frustrate. This importunity working upon the feelings of a well-natured person like Lord North, might easily be expected to produce its intended effect; and the unavoidable difficulty of retreating from a post which, while he held it, had become one of peril as well as embarrassment, doubtless increased the difficulty of abandoning it while the danger lasted.

But although we may thus explain, we are not the better enabled to excuse the minister's conduct. When he found that he could no longer approve the policy which he was required to pursue, and of course to defend, he was bound to quit the councils of his obstinate and unreasonable Sovereign. Nor can there be a worse service, either to the Prince or his people, than enabling a Monarch to rule in his own person, dictating the commands of his own violence or caprice, through servants who disapprove of his measures, and yet suffer themselves to be made instruments for carrying them into execution. A bad King can desire nothing more than to be served by such persons, whose opinions he will as much disregard as their inclinations, but whom he will always find his tools in doing the work of mischief, because they become the more at the Monarch's mercy in proportion as they have surrendered their principles and their will to his. Far, then, very far from vindicating the conduct of Lord North in this essential point, we hesitate not to affirm that the discrepancy between his sentiments and his measures is not even any extenuation of the disastrous policy which gave us, for the fruits of a long and disastrous war, the dismemberment of the empire. In truth, what otherwise might have been regarded as an error of judgment, became an offence, only palliated by considering those kindly feelings of a personal kind which governed him, but which every statesman, indeed every one who acts in any capacity as trustee for others, is imperatively called upon to disregard.

While, however, truth requires this statement, justice

equally demands that, in thus denouncing his offence, we should mark how very far it is from being a solitary case of political misconduct. Upon how many other great occasions have other ministers sacrificed their principles, not to the good-natured wish that the King might not be disturbed, but to the more sordid apprehension that their own government might be broken up, and their adversaries displace them, if they manfully acted up to their well known and oftentimes recorded opinions? How many of those who, but for this unwelcome retrospect into their own lives, which we are thus forcing upon them, would be the very first to pronounce a pharisaical condemnation on Lord North, have adopted the views of their opponents, rather than yield them up their places by courageously and honestly pursuing the course prescribed by their own? Let us be just to both parties: but first to the conductor of the American war, by calling to mind the similar delinquency of some who have succeeded to his power, with capacity of a higher order than his, and of some who resembled him only in their elevation to high office, without his talents to sustain it or to adorn. The subject, too, has a deeper and more general interest than merely that of dispensing justice among individuals; it concerns the very worst offence of which a minister can be guilty—the abandonment of his own principles for place, and counselling his Sovereign and his country, not according to his conscience, but according to what, being most palatable to them, is most beneficial to the man himself.

Mr. Pitt joining the war party in 1793, the most striking and the most fatal instance of this offence, is the one which at once presents itself; because of all Lord North's adversaries there was none who pursued him with such unrelenting rancour, to the pitch of peremptorily refusing all negotiations with the Fox party, unless their new ally should be expelled, when he, with a magnanimity rare indeed among statesmen,

instantly removed the obstacle to his bitter adversary's elevation, by withdrawing all claims to a share of power. No one more clearly than Mr. Pitt saw the ruinous consequences of the contest into which his new associates, the deserters from the Whig standard, were drawing or were driving him; none so clearly perceived or so highly valued the blessings of peace, as the finance minister who had but the year before accompanied his reduction of the whole national establishment with a picture of our future prosperity almost too glowing even for his great eloquence to attempt. Accordingly it is well known, nor is it ever contradicted by his few surviving friends, that his thoughts were all turned to peace. But the voice of the court was for war; the aristocracy was for war; the country was not disinclined towards war, being just in that state of excitable (though as yet not excited) feeling which it depended upon the government, that is, upon Mr. Pitt, either to calm down into a sufferance of peace, or rouse into a vehement desire of hostilities. In these circumstances, the able tactician, whose genius was confined to parliamentary operations, at once perceived that a war must place him at the head of all the power in the state, and, by uniting with him the more aristocratic portion of the Whigs, cripple his adversaries irreparably; and he preferred flinging his country into a contest which he and his great antagonist by uniting their forces must have prevented; but then he must also have shared with Mr. Fox the power which he was determined to enjoy alone and supreme. This was a far worse offence than Lord North's; although the country, or at least the patrician party, shared with the crown the prejudices to which Mr. Pitt surrendered his own judgment, and the power to reward his welcome conversion. The youngest man living will not survive the fatal effects of this flagrant political crime.

The abandonment of the Catholic question by the same minister when he returned to power in 1804

and the similar sacrifice which the Whigs made at his death to the bigotry of George III., are often cited as examples of the same delinquency. But neither the one nor the other of these passages presents anything like the same aspect with the darker scene of place-loving propensities which we have just been surveying. The marked difference is the state of the war; the great desire which the Pitt party had of conducting hostilities with vigour, and which the Fox party had of bringing them to a close. The more recent history, however, of the same question affords instances more parallel to those of the American and the French wars. When peace was restored, and when even the obstacle to the emancipation presented by George III.'s obstinate bigotry was removed, they who had so long talked the uncouth language, so strange to the constitution of a free country, of yielding to "unhappy prejudices in a high quarter, impossible to be removed," had now no longer any pretext for uttering such sounds as those. The Regent, afterwards the King, had no prejudices which any man, be his nature ever so sensitive, was called on to respect; for he had, up to the illness of his father, been a warm friend of the Catholics. Yet, no sooner did he declare against his former principles, than Lord Castlereagh and Mr. Canning also declared that his conscience (the scrupulous conscience of George IV.!) must not be forced, and one administration was formed after another upon the principle of abandoning all principle in order to follow the interests of the parties, and of leaving the domestic peace of the country by common consent out of view. The present state of Ireland, and indeed to a certain degree the unworthy course pursued by their successors on Irish affairs, is the fruit, and the natural fruit, of this wholly unprincipled system.

The subject of Parliamentary Reform affords other illustrations of a like kind. To alter the constitution of parliament as one party termed it, to restore it as

another said, but to change its actual structure as all admitted, might be right or it might be wrong; might be necessary for the peace of the country, or might be the beginning of inextricable confusion; but at any rate statesmen were called upon to decide so grave a question upon its own merits—a question by far the most momentous of any that statesmen were in this world ever summoned to discuss in the peaceful deliberations of council, or senators to decide by the weapons of argument alone—a question which, in any other age, perhaps in any other country, must have been determined, not by deliberations of politicians or arguments of orators, but by the swords and the spears of armed combatants. Yet this question has more than once, and by more than one party, been made the subject of compromise, at one time taken up, at another laid down, as suited the convenience rather than the duty of statesmen. Of a certainty, those men have no right to blame Lord North for remaining in office, though disapproving the American war, rather than break up the government and open the doors of Downing Street to the Opposition. In one respect, indeed, Lord North has been by far outdone by them. No exigency of party affairs ever drove him back to the side of the American controversy which he had escaped. But the "Reformers of the Eleventh Hour," having made all the use of their new creed which they well could, took the opportunity of the new reign to cast it off, and, fancying they could now do without it, returned into the bosom of their own church, becoming once more faithful supporters of things as they are, and sworn enemies of reform,

A new and perhaps unexpected vindication of Lord North has been recently presented by the Canadian policy of liberal governments, as far as mistakes by inferior artists can extenuate the failings of their more eminent predecessors. When the senseless folly was stated of clinging by colonies wholly useless and

merely expensive, which all admit must sooner or later assert their independence and be severed from the mother country, none of all this was denied, nor indeed could it; but the answer was, that no government whatever could give up any part of its dominions without being compelled by force, and that history afforded no example of such a surrender without an obstinate struggle. What more did Lord North, and the other authors of the disgraceful contest with America, than act upon this bad principle?

But a general disposition exists in the present day to adopt a similar course to the one which we have been reprobating in him, and that upon questions of the highest importance. It seems to be demanded by one part of the community, and almost conceded by some portion of our rulers in our days, that it is the duty of statesmen when in office to abdicate the functions of Government. We allude to the unworthy, the preposterous, the disgraceful doctrine of what are called "*open questions.*" Its infamy and its audacity has surely no parallel. Enough was it that the Catholic Emancipation should have been taken up in this fashion, from a supposed necessity and under the pressure of fancied, nay fictitious difficulties. No one till now ever had the assurance to put forward, as a general principle, so profligate a rule of conduct; amounting indeed to this, that, when any set of politicians find their avowed and recorded opinions inconsistent with the holding by office they may lay them aside, and abdicate the duty of Government while they retain its emoluments and its powers. Mark well, too, that this is not done upon some trivial question, which all men who would act together in one body for the attainment of great and useful objects may and oftentimes must waive, or settle by mutual concessions—nothing of the kind; it is upon the greatest and most useful of all objects that the abdication is demanded, and is supposed to be made. Whether

Reform shall be final or progressive — whether the Elective Franchise shall be extended or not—whether voting shall be by Ballot or open—whether the Corn Laws shall be repealed or not—such are the points upon which the ministers of the Crown are expected to have exactly no opinion; alone of the whole community to stand mute and inactive, neither thinking, neither stirring—and to do just precisely neither more nor less than—nothing. It is surely unnecessary to say more. "*The word abdicate*," on which men debated so long one hundred and fifty years ago, is the only word in the dictionary which can suit the case. Can any one thing be more clear than this, that there are questions upon which it is wholly impossible that a Government should not have some opinion, and equally necessary that, in order to deserve the name of a Government, its members should agree? Why are one set of men in office rather than another, but because they agree among themselves, and differ with their adversaries upon such great questions as these? The code of political morality recognizes the *idem sentire de republica* as a legitimate bond of virtuous union among honest men; the *idem velle atque idem nolle* is also a well-known principle of action; but among the associates of Catiline, and by the confession of their profligate leader. Can it be doubted for a moment of time, that when a Government has said, "We cannot agree on these the only important points of practical policy," the time is come for so reconstructing and changing it, as that an agreement imperiously demanded by the best interests of the state may be secured? They are questions upon which an opinion must be formed by every man, be he statesman or individual, ruler or subject. Each of the great measures in question is either expedient or it is hurtful. The people have an indisputable right to the help of the Government in furthering it if beneficial, in resisting it if pernicious; and to proclaim that, on

these subjects, the governors of the country alone must stand neuter, and leave the questions to their fate, is merely to say that, whensoever it is most necessary to have a Government, we have no Government at all: and why? Because they in whose hands the administration of affairs is vested are resolved rather to keep their places than to do their duty.

A similar view is sometimes put forward and even acted upon, but of so vulgar, so incomparably base a kind, that we hardly know if we should deign to mention it. The partizans of a ministry are wont to say for their patrons, that, unless the country call for certain measures, it shall not have them. What! Is this the duty of rulers? Are men in such stations to give all that may be asked, and only to give because of the asking, without regarding whether it be a boon or a bane? Is the motto of them that hold the citadel to be "Knock, and it shall be opened unto you?"—Assuredly such men as these do not rise even to the mean rank of those disgraced spirits elsewhere, who while in life

——visser senza infamia e senza lodo;

but of them we may at least say as of these,

Non ragionam di lor ma guarda e passa.*

While Lord North led the House of Commons, he had extremely little help from any merely political men of his party. No ministers joined him in defending the measures of his Government. His reliance was upon professional supporters; and Gibbon has described him as slumbering between the great legal Pillars of his administration, his Attorney and Solicitor General, who indeed composed his whole strength, until Mr. Dundas, also a professional supporter, being Lord Advocate of Scotland, became a new and very valuable accession to his forces.

* Dante, Inf.

APPENDIX.

LETTERS OF GEORGE III. TO LORD NORTH.

"28rd Feb. 1768.

"NOTHING can be more honourable to Adms than the Division when not expected. Mr. Dowdeswell will not get credit by so weak a manœuvre."

"25 April, 1768.

"Though entirely confiding in your attachment to my Person, as well as in ys hatred of evy lawless proceeding, yet I think it highly proper to apprize you, that the expulsion of Mr. Wilkes appears to be very essential and must be effected. The case of Mr. Ward, in the reign of my great-grandfather, seems to point out the proper method of proceeding. If any man were capable of forgetting his criminal writings, his speech in Court last Wedy wd be reason enough, for he declared 45 a Paper that the Author might glory in, and the blasphemous Poem a mere ludicrous Production."

"28 Jany 1769.

"Great pleasure at ye great majority last night.* I attribute it principally to the ability shewn by you, both in planning the measure and executing it."

"3d Feby 1769.

"Honourable conclusion of debate this morning,† and promises a proper end of this irksome affair. Inconsistency of those who opposed to-day what they supported yesterday."

* This refers to the Debate upon the Resolutions and address to the King respecting the Disturbances in America, after a very long debate in which Lord North, Mr. Dowdeswell, Mr. Burke, Mr. George Grenville, the Attorney and Solicitor General, Alderman Beckford, and Col. Barré took part; the House divided at three in the morning. For the address 155; against it 89.

† On Lord Barrington's motion for the expulsion of Mr. Wilkes, which was carried by 219 against 137: the resolution moved by the Attorney General de Grey, of censure on Mr. Wilkes for a seditious Libel, having been carried the day before by 239 against 136.

"31 March, 1769.

"This instant heard that the Grand Jury have refused to find Bills against those concerned in the audacious Tumult at St. James's on 22nd. Enquire."

Same day, ¼ past 11, P.M.

"Factious and partial conduct of the Grand Juries. If there be no law to quell Riot, and if Juries forget their oath to be guided by facts, not faction, this Constitution must be overthrown. I am ready to take any forward part, and I trust every honest man will join to crush this Party that aims at the very vitals of all Government."

"6 April, 1769.

"Spirit shewn by the House of C., which I ascribe chiefly to the spirit and good conduct you have shewn."

"9 May, 1769.

"Received acct of very honourable Issue of yesterday's Debate and List of Speakers.* The House has with becoming dignity supported their own Privileges, without which they cannot subsist, and it is now my duty to see the Laws obeyed."

"7 Jan. 1770.

"† I am so desirous that every man in my service should take part in the Debate on Tuesday, that I desire you will very strongly press Sir S. Elliott and any others that have not taken a part last Session. I have no objection to your adding that I have particularly directed you to speak to them."

"23d Janr 1770.

"Lord Weymh and Ld Gower will wait on you this morn-

* This refers to the Debate on Monday the 8th of May, upon the Petition against the return of Mr. Luttrell for Middlesex, instead of Mr. Wilkes. On the division the yeas were 221, the noes 152, although the counsel for the sitting member admitted that Mr. Wilkes had polled 1143 votes, and Mr. Luttrell only 296!

† Tuesday, 9th January, on the opening of the third Session of the thirteenth Parliament. The address was carried by 254 against 188. In this debate Mr. Fox spoke and voted with the Government, and soon afterwards was appointed a Lord of the Admiralty.

ing to press you in the strongest manner to accept the office of first Lord Comm^r of ye Treasury. My mind is more and more strengthened in the rightness of the measure w^h w^d prevent ev^y other desertion. You must easily see that if you don't accept, I have no peer at present that I w^d consent to place in the D. of Grafton's employ^t." *

"29 Jany 1770.

"This morning or after the debate see Gen. Conway, for I know how much he is pleased with these little marks of attention. By placing some confidence in him you may rely on his firm support. How did you find Ld Mansfield last night? Had you any conversation w^h Lord C. J. Wilmot."

"1 Feb. 1770.

"A Maj^y of 40 on the old ground at least ten times † before the House, is a very favourable auspice on your taking a lead in the Adm^n. A little spirit will soon restore order in my service. I am glad to find that Sir G. Elliott has again spoke."

"1st Feby 1770.

"In consequence of my negotiation w^h the D. of Graft. Col. Fitzroy has in the handsomest manner declined the place of Vice Chamberlain. Sound Mr. Robinson."

"2nd Feby 1770.

"‡ As the Question proposed by Mr. Dowdeswell was well called to catch many Persons, I think it has been rejected by a very handsome Majority."

"16 Feby 1770.

"How has Sir L. Dundas received the answer to his very unreasonable and unseasonable proposal? I suppose Mr.

* The Duke of Grafton resigned the office of First Lord of the Treasury on the evening of the 28th of January, and was succeeded by Lord North, at that time Chancellor of the Exchequer.

† On the motion of Mr. Dowdeswell against the resolution which had been passed some days before, incapacitating Mr. Wilkes.

‡ This refers to Mr. Dowdeswell's motion for incapacitating Wilkes.

Robinson is not to vacate till after the debate of Monday.* Ld Weym^h will go to you tomorrow before the rest of ye Comp^y to say that as Ld Town^d w^d dislike resigning the Secret^y, he cannot advise pressing him. I think Ld Halifax a proper Privy Seal. I wish you w^d open the intended arrangement to him, w^h will be kindly taken."

"28 Feby 1770.

"† To see the Majority constantly encrease gives me the greatest pleasure."

"6 March, 1770.

"I hope to hear from you this ev^g what has passed at Guildhall in the morning."

"11 March, 1770.

"I shall be glad to hear what Precedents you have got. I continue of opinion that an Answer must be given to the Remonstrance, and that unless the Instances are very similar of having directed a certain number to attend, it will be every way best to receive them on the Throne."

"13 March, 1770.

"As the House is up come between 7 and 8 w^h the answer to the Remonstrance."

"16 March, 1770.

"Nothing more respectful to me, nor more honourable to themselves, than the conduct of the Majority yesterday."‡

"18 March, 1770.

"The intended Resolutions seem very proper, and as they dont end w^h any severity ag^t the Ld Mayor or Sheriffs, will meet with a feeble opp^n, for on that depended the Union of

* This was the Debate on the question that the resolution declaring Mr. Wilkes incapable of being elected to serve in the present Parliament, was agreeable to the law of the land and custom of Parliament. On a division, this was carried by 237 against 159.

† This refers to the division on Mr. Grenville's motion on the state of the Civil List, upon which the Division was for the motion 165, against it 262.

‡ This was on the Debate on Sir Thomas Clavering's motion, that the Remonstrance of the City, and the King's answer to it, be laid before the House. This was carried by 271 to 108.

all the Adverse Party. People were very anxious at Court to learn your plan for tomorrow, part[y] Sir T. Clavering, who w[d] be flattered by some communication w[h] his conduct on Thursday seems to deserve."

"20 March, 1770.

"Presses strongly for giving an answer on the Throne to y[e] Remonstrance."

"5 April, 1770.

"* I cannot help expressing some surprise at seeing Gen[l] Conway's name in support of Sir E. Astley's motion which is so antiquated an opposition Point, and w[h] no candid man c[d] be supposed to adopt."

"9 April, 1770.

"Debate in teeth of standing order."

"12 April, 1770.

"Approve the step you have taken, and will write a civil note to L[d] Wey[th] on y[e] impossibility of having given any rise to his Brother on this occasion."

"20 April, 1770.

"About the approaching vacancy for Westm[r], I am convinced that it is not worth while to occasion a tumult in the city by encouraging a contest, unless some man of independ[t] character w[d] stand, w[h] I dont expect."

"4 April, 1770.

"The offer of y[e] Vice Treasurership will undoubtedly confirm the D. of Beaufort in his very handsome manner of acting though he has declined. Let L[d] Edge. kiss hands. Sir E. Hawke may now appoint an adm. on y[e] Plym[h] Stat[n], which at the desire of y[e] D. of Grafton he deferred till L[d] Ed. &c."

"13 May, 1770.

"Mr. Pitt having resigned his office of groom to the

* This was a motion for a return of all Pensions granted during the present Parliament, which was lost by 162 to 104. General Conway spoke in favour of the motion.

bedchamber, I have directed Ld Bristol to notify Sir S. Osb. as his Successor."

"16 June, 1770.

"As Mr. Wallace declines the vacant seat on the K. bench, authorise you to enable Ld Mansfield to sound Mr. Ashurst: if he declines, the preference must be given to Serg^t^ Burland, whom Ld Mansfield thinks superior in talents to Serg^t^ Nares, particularly as I find the nomination of the latter w^d^ be very detrimental to the Interest of the D. of Malb^h^, as his Influence at Oxford w^d^ be much shook by opening that Borough for so many months."

"16 June, 1770.

"The step you have taken in forwarding the appointment of a Judge on the removal of Sir W. Black to ye Common Pleas, meet my thorough approbation."

"1 Octr 1770.

"You will hear of applications for the Roy. Reg^t^ of Horse Guards on ye death of Ld Granby. I therefore tell you that Gen. Conway, when Serg^t^, and on his resignation, had a promise of them. I therefore shall imm^dy^ send to Ld Barrington to make out the notification."

"5 Novr 1770.

"My bro^rs^ have this day applied ab^t^ the means of paying the D. of Cumb^d's^ damages and costs, wh. if not p^d^ this day se'enight, the Proc^rs^ will certainly force the house, which at this licentious time will occasion reflexions on ye rest of the family. Whatever can be done, ought to be done."

Same day.

"The sum likely to be procured, £13,000."

"9th Novr 1770.

"The more I reflect on Ld Mansfield's suggestion of not assembling Parliament till the arrival of ye Spanish Messr^s^, the more I am convinced that it w^d^ be injurious to that Court; and that of Versailles w^d^ augur from it that we had resolved at all events to accommodate the dispute.

Yet I wish to hear what he has said on it, and on ye appoint^t^ of a Chancellor, and wh. has passed between you and the Attorney General. Ld Weym^h^ has applied for his cousin, Ld Dysart, for one of the sixteen."

"11 Decr 1770.

"Ld Mansfield has been here to explain his conduct, and says that, as it is now known that a Chancellor is appointed, he makes no diff^y^ in acting as Speaker of the House of L^ds^ for some time, nay s^d^ for a month or two if that c^d^ be of any utility."

"16 Novr 1770.

"Sends enclosed an Extract from Foster's Report of the case of Broadfoot, for the murder of Com. Callaghan, wh. contains his opinion on the legality of impress, which is to come on to-day.

"Expectation of war w^h^ Spain."

"14 Decr 1770.

"*Lord G. Germaine's two motions, and the very handsome majorities in favour of Gov^t^ Intentions to make Ld Sandwich Sec^y^ for the Northern Department.

"In the Month of December greatest expectations of important information about Spanish affairs from a Mr Francis."

"17 Decr 1770.

"†Lord George Germaine omitting so many days to call Govr Johnstone to account, does not give much idea of his resolution, but that he has at length been persuaded by his Friends to take this step."

"19 Dec. 1770.

"I am glad Mr. Thurlow consents to assist, which will satisfy Mr. Wedderburn. I am certain this arrangement will be of considerable advantage to the Stability of the Government. Ld Sandwich to be sworn in."

* This was upon the attendance of Peers' eldest sons, King's Serjeants, and the Attorney and Solicitor General, being Members of Parliament, to carry messages to the House of Lords.

† The duel, which was fought on 17th December, arose out of the Debate on the 14th.

"26 Decr 1770.

"By an intercepted letter from the Duc de Choiseul to the French Chargé des Affaires at Hamburgh my opinion is confirmed, that we shall not have such offers from the Court of Spain as can enable us to preserve the blessings of peace."

"18 Jany 1771.

"As Ld Suffolk does not speak French, might not Ld Roch^{d} take the whole foreign Department, as at other Courts, and Ld S. w^{d} have the home, including Scotland and Ireland."

"16 Jan. 1771.

"If Ld Halifax wishes the Northern Department, he may have it."

"16 Jany 1771.

"As Lord Hardwick has declined accepting the Northern Seals, you will this ev^{g} call on Ld Dartm^{h} w^{h} the same offer."

"17 Jan^{y}

"Ld Darm^{h} has taken time to consider. Much pleasure."

"23 Jany 1771.

"If any thing were wanting to confirm my opinion of the worth and disinterestedness of Ld C. J. Wilmot, his noble conduct at this occasion must establish it—w^{h} is a little contrasted w^{h} what you mention of his intended successor.* The Pension ought to be £2,000 per annum."

"4 Feby 1771.

"Mr. Seymour's motion has no appearance of candor, and cannot do honour to the supporters."

"11 Feby 1771.

"† What has passed in the H. of C. this day is a fresh

* De Grey, then Attorney General.

† This refers to Sir William Meredith's motion for leave to bring in a Bill to repeal the clause in the Nullum Tempus Act, giving parties twelve months to sue, notwithstanding the Act, of which clause Sir James Lowther had taken advantage, by commencing or giving notice of a great number of

proof that Truth, Justice, and even honour are constantly to be given up whenever they relate to Sir James Lowther. Though this cannot please you, yet it does no way endanger Administration."

"14 Feby 1771.

"The great majority last night is very creditable. The seeing Col. Burgoyne's name on the side of the Ministry is so extraordinary* that I almost imagine it is a mistake, and that Nich. Calvert's name among the Maj^{y} is also erroneous."

"21st Feby 1771.

"Sorry so very arbitrary a measure as the D. of Port$^{d's}$ dispute sh^{d} be sent to a Com^{ee}, though glad y^{e} Maj^{y} is lessened, w^{h} may be a means of throwing it out before it comes to H. of Ls.

"Very much consid^{d} the affair of the Printers,† and in the strongest manner recommend that ev^{y} caution may be used to prevent its becoming a serious business. It is highly necessary that this strange and lawless method of publishing debates in the Papers should be put a stop to. But is not the H. of L^{ds} the best Court to bring such miscreants before, as it can fine as well imprison, and has broader shoulders to support the odium of so salutary a measure."

actions. Ministers opposed the motion, but were defeated by 152 to 123. They were also, on the 20th of February, defeated on the second reading of the Bill, by 155 to 140. On the 27th of February the Bill was lost by 164 to 154, on the motion that the House go into Committee, Mr. Fox and Lord North strongly opposing the Bill; the former defended Sir James Lowther's title, and the latter pronounced a warm panegyric upon him. Lord North's entire difference with the king, on the subject of Sir James Lowther is remarkable, for his speech on the 27th was long after the king's letter. The king's dislike of Sir James Lowther is also remarkable, considering he was Lord Bute's son-in-law. This dislike, so long before Sir James had given him personal offence, by taking part with his brothers, (the Dukes of Gloucester and Cumberland,) seems to indicate the alienation from Lord Bute.

* He opposed Government upon the Address on the Falkland Island question—the majority was 271 to 157. Colonel Burgoyne both spoke and voted against the Government. Nicholson Calvert spoke and voted in favour and in support of the Government.

† On the 8th of February the House of Commons took into consideration the question of printing their Debates. This came on again on the 19th, when a resolution against one of the printers passed by 115 to 31.

"26 Feby 1771.

"So many of the principal* Persons in opposition in ye Minority today, and the number, only 19, is extraordinary."

"28 Feby 1771.

"† The gaining of the Court of Sweden is no real object for this Country. If after considerable expence that is effected, it will be impossible to keep her Friendship without a Subsidy: for that Power cannot subsist without foreign money. Besides, as there is no public mode of obtaining the money expended in that corruption, it must be taken from my Civil List, and conse^{y} new debts incurred; and when I apply to Parliament for them, an odium is cast upon me, as if the money had been expended in bribing Parliament. I therefore think we ought only to feed the opposition to France, to prevent that Crown from carrying material Points."

"8 March, 1771.

"Rejoiced at the good conclusion of yesterday's debate. Wisdom of leaving the opposition to their own divisions."

Same day.

"Desires application to the Chanc^{r} of Camb. to nominate a proper person to the Professorship of Modern History.

"Gray."‡

"10 March, 1771.

"§ I think these offices being instituted for promoting learning in ye Universities ought not to be given by favour, but according to merit."

"17 March, 1771.

"If Lord Mayor and Oliver not committed, the Authority of the H. of C. is annihilated. Send Jenkinson to

* The division was 162 to 19. Sir George Savile, Dunning, Barré, Dowdeswell, Alderman Sawbridge, William Burke, were in the minority, and are the "principal persons" referred to by the king.
† Written on the death of the king of Sweden.
‡ Gray the poet—who was appointed.
§ This refers to the same professorship.

Ld Mansf^d^ for his opinion of the best way of enforcing the commitment, if these People continue to disobey. You know very well I was averse to meddling with the Printers, but now there is no retreating. The honour of the Commons must be supported."

"19 March, 1771.

"*Delighted with conduct of ye Majority. Suggests sending Ld Mayor to the Tower by water privately, to avoid rescue."

"28 March, 1771.

"I would on no account pass the Bills otherwise than in Person at a moment like this: believe me the spirit you shewed yesterday† will prevent its being often called upon. They now know you are not to be alarmed."

"26 April, 1771.

"‡Mr. Sawbridge's motion so absurd and §Mr. Cornwall's so indecent to his bro^r^ members, that they cannot do much credit to the disjointed opposition."

"7 May, 1771.

"‖Enquire of Mr. Dyson, who is so thorough a master of Form, whether the speech ought not to say, My Good Brother the King of Spain, rather than his Catholic Majesty."

"11 June, 1771.

"The D. of Grafton has very handsomely accepted the Privy Seal. He even thought the Confidential Cabinet too numerous; and on Ld Bristol's getting the P. S. he desired that it might be stipulated that he sh^d^ not be of ye meeting; and as he thinks the same in his own case, there is no

* On the motion of Welbore Ellis, that the Lord Mayor (Brass Crosby) do attend in his place tomorrow (19th March), which was carried by 267 to 80.

† This refers to the debate upon Welbore Ellis's motion for sending the Lord Mayor and Alderman Oliver to the Tower, which was carried by 202 to 39.

‡ For shortening the duration of Parliament—lost by 105 to 54.

§ Mr. Cornwall's motion on the Lottery Bill, that no members should be allowed to subscribe for more than twenty tickets, rejected by 31 to 11.

‖ The Session closed on the 8th of May, when the king in his speech says, "the satisfaction I have obtained from his Catholic majesty."

reason for summoning him on Ministerial questions, except when they are to be debated in the H. of L^ds. On o^r occasions if his advice is asked, he can give it privately."

"2^d January, 1772.

"Has heard from Ld Bellamont of the intention of Col. Luttrell to come over to resign his seat for Midd^x. Suggests a private intimation to Lord Townshend (L^d L^t) *not to give the Col. leave.*"

"2^d Jany 1772.

"* Sir Jeff. Amherst's letter commends his own services too much. General Conway having quitted the Seals HANDSOMELY w^h a promise of the Blues, his appointment cannot be considered as *forgetting* Sir Jeff. The 3^d Guards always held by a Scotchman. That Instance also w^t foundation.

"Mr. Allen is only an additional proof of that aversion to English Gov^t and of that avowed profligacy that the Gent^n of that Country seem to despise, masking with the name of Conscience, and must sooner or later oblige this Country seriously to consider w^r the uniting to this Crown w^d not be ye only means of making both Islands flourish.

"Ld Town^ds idea of a Pension to Ld Shannon when the Session is over seems absurd—to let him to do all the mischief he can while his assist^e c^d be of use, and then reward him when his good wishes can avail nothing."

"6 Jany 1772.

"The sketch of the speech I approve.† When the sentences *are a little rounded*, and that the foreign article is added, it will make a very good one."

"23^d Jany 1772.

"I shall be glad to have some conversation with you on the publications against both Houses of Parliament."

"29th Jany 1772.

"There cannot be a stronger proof that the opposition is ag^t *men* not *measures*, than Sir C. Saunders and Adm^l

* Answers to Various Applications.
† The Parliament was opened by the King on the 21st.

Keppel objecting * to an add[l] number of Seamen, for which they used to cry."

"5 Feb[y] 1772.

"On the Royal Marriage Act, desires a Clause to make the Consent of the Regent nec[y] when the King is a minor."

"6 Feb[y] 1772.

"Sir Gilb. Elliott's son, a pretty young man, and I s[d] be glad to place him in the Army; but a Capt[n] Lieut[y] at once w[d] offend many Peers and Members of the H. of C."

"8th Feb[y] 1772.

"My Mother † is no more."

"26 Feb[y] 1772.

"I expect every nerve to be strained to carry the Bill ‡ (Roy[l] Marr.). It is not a question that relates to Administration but personally to myself, therefore I have a right to expect a hearty support from ev[y] one in my Service, and I shall remember Defaulters."

"2nd March, 1772.

"I am glad to find that Mr. Montague's motion § has been rejected, as it will keep many worthy men in good humour. Besides the abolition of the day w[d] not be very delicate."

"12th March 1772.

"‖ Unless my Impression of the absence of Col. Burgoyne

* Debate on the 29th in Committee of Supply, Keppel and Saunders opposed any increase in the number of seamen. There was no division.

† The Princess Dowager of Wales.

‡ The Royal Marriage Bill. In the summer of 1771, the Duke of Cumberland married Mrs. Horton, and in the spring of 1772, the Duke of Gloucester declared that he had been married to the Countess Dowager of Waldgrave since 1766. This gave rise to the Marriage Bill.

§ On the 2d of March Mr. Montague moved for a repeal of the Act for the observance of the 30th of January. His motion was rejected by 125 to 97.

‖ On the second reading of the Royal Marriage Bill, on the 9th of March, the division was 268 to 140. On the 11th, on the motion for going into

and Lt Col. Harcourt from yesterday's division had been corrected, I really sh^d^ have thought myself obliged to have named a new Govr instead of the former, and to have removed the other from my Bedchamber."

"14 March, 1772.

"I wish a List c^d^ be prepared of those that went away and of those that deserted to the Minority (on Division in the Com^ee^).* That w^d^ be a rule for my conduct in the Drawing Room tomorrow."

"2^d^ April, 1772.

"You ought to oppose the Petition from the Dissenters † personally in every stage, w^h^ will give you the applause of the Established Church. If you sh^d^ be beat, it will be in doing y^r^ duty, and ye H. of L. will prevent any Evil. It is indeed the duty of the Ministers to prevent any alterations in so essential a part of the Constitution as what relates to the Established Religion; and there is no shadow for the Petition, as the Crown regularly grants a noli prosequi if any over nice Justice of the Peace encourages Prosecutions."

"6 July, 1772.

"The advice given this morning by you to Mr. Eden was perfectly agreeable to M. des Vergenne's letter about the Plan formed in April for changing the Constitution of Sweden this month." ‡

Committee, the numbers were, ayes 300, noes 64. Fox took a strong part against the Bill. He had resigned his place at the Admiralty on the 21st of February, chiefly from his determination to oppose this Bill.

* The division in Committee on the Royal Marriage Bill was 200 to 164. This Bill received the Royal assent on the 1st of April.

† Sir Henry Hoghton's Bill for giving relief to Protestant Dissenters was brought in, without a division, on the 3d of April. The Bill was read a second time on the 14th by a majority of 70 to 9, and it afterwards passed the Commons, but was thrown out in the Lords by 102 to 29, on the 19th of May. On the 7th of April Fox moved for leave to bring in a Bill to repeal the Marriage Act, 26 of Geo. II., which was carried by 62 to 61: but afterwards, on the 19th of May, it was thrown out by 92 to 34.

‡ The Revolution in Sweden took place in the month of August, 1772. It began on the 12th and was completed on the 21st.

"1 August, 1772.

"Alarmed at the dispatches from France. The declaration of an Intention to continue the Quai at Dunkirk begun last year w^d look like a hidden desire to Enter on War. But when I consider how very unsettled ev^ry thing is in that Country, and more so the character of the Monarch, I am convinced they do not foresee the danger they are running into.—Strenuous ag^st War, and for any temperate discussion w^h France.—We must get the Colonies into order, before we engage wth our neighbours."

"9 Aug^st 1772.

"The perplexed interference of the Southern Sec^y and the Board of Trade (in Colonial Affairs) gave rise to the American Department."

"24 Aug^st 1772.

"The death of Calcraft will, I trust, bring the Borough of Rochester into its ancient hands.

"Very minute œconomy in the establ^t of his 3^d and 4th sons, Clarence and Kent."

"25 Novr 1772.

"I know I may depend on your remaining Stiff in treating with the E. I. Comp^a. Till now your Conduct tow^d the Directors is much to your honour; any wavering now would be disgraceful."

"19 Decr 1772.

"Very zealous ab^t E. I. affairs; surprised at finding Ld G. Germ. in the majority, and a Speaker for what the Rockinghams alone opposed,* and also that T. Townshend was silent."

"20 Decr 1772.

"I have no objection to Mr. C. Fox vacating his seat† tomorrow."

* Debate on 18th December, upon the Bill for preventing the East India Company from sending out Supervisors to India for six calendar months. The Bill was carried by 153 to 28.

† On being appointed a Lord of the Treasury.

"1 Jany 1773.

"Hear of the failure of Clifford & Co. in Holland. Enquires anxiously w^{r} any effect on Commercial Houses here. Is Sr G. Colebrooke's house in a precarious situation?"

"3 March, 1773.

"The remonstrance of the City is the most violent, insolent, and licentious ever presented."

"20 April, 1773.

"A dispatch from Creutz, the Swedish Minister at Paris, to the K. of S., intercepted in Germany, says that M. D'aiguillon, believing that England w^{d} cert^{y} take umbrage if he were to send a Fleet to the assist. of S., he c^{d} not think of that mode of succour, for that at all events he w^{d} avoid a War with England."

"25 April, 1773.

"French Fleet countermanded."

"21 May, 1773.

"D'aiguillon s^{d} to Ld Stormont, who s^{d} our Fleet was suspended, 'Les Matelots sont renvoyés, ce n'est pas une suspension, c'est une cessation.'"

"22 May, 1773.

"*Approves L^{d} N^{s} conduct in voting as a Man, but not exerting his Power as a Minister against Ld Clive. I own I am amazed that private Interest could make so many Individuals forget what they owe to their country, and come to a resolution that seems to approve Ld Clive's rapine." †

"8 June, 1773.

"Long letter about appointment of Members of Council at Calcutta; rejoices that Gen. Monkton has declined, be-

* On Burgoyne's motion on the 21st May of censure against Lord Clive, which was carried without a division, an amendment moved by Fuller having been negatived by 155 to 95.

† This refers to a resolution moved by Wedderburn "that at the same time Lord Clive rendered great and meritorious service to the country," which was carried without a division.

cause he thinks Clavering much the fittest. 'Monson, though not showy, has excellent sense. Majr Gen. Frazer does right in withdrawing. I dont know the personal qualifications of others, except Mr. Francis, who is allowed to be a man of Tallents.' Andrew Stewart I shd think it wrong to take, though perhaps the Scotch may make a Party for him."

"17 July, 1773.

"At the Instance of Ld W. he is to appoint Col. Burgoyne to the 17th Light Dragoons."

"30 July, 1773.

"I shall hear with pleasure yr acct of Mr. Darwin's intended discovery of some great stroke meditated by France in the Event of a new War."

"19 Octr 1773.

"Extraordinary Manifesto, of wh. you sent a copy—rather surprised at Ld Ossery's name to it—those who have property in Ireland must dislike the measure—but this conduct is calculated not to dissuade but to revolt—5 noblemen subscribers. The king dispenses the Military Patronage."

"14 Janr 1774.

"A Ms Frances, a Spanish Agent, requires Mr. Harris to be sent back to Madrid; if not, the Spanish Embr is to threaten War. This I think absurd till we know the S. E. new Instructions."

"4 Febr 1774.

"Gen. Gage, though just returned from Boston, expresses his willingness to go back at a day's notice, if convenient measures are adopted. He says, They will be Lions while we are Lambs; but if we take the resolute part, they will undoubtedly prove very meek. Four Regts sent to Boston will, he thinks, be suffl to prevent any disturbance. All men now feel that the fatal compliance in 1766 has encreased the pretensions of the Americans to thorough Independence."

"11 Feby 1774.

"The extreme insolent letter to the Speaker in this Day's Public Advertiser. There is but one Man could have framed that Piece of Insolence." *

"13 Feby 1774.

"I am glad the Printer is committed,† and that he has confessed Mr. Horne to be the person that delivered the Paper to him."

"16 Feby 1774.

"‡ I am greatly *incensed* at the presumption of Charles Fox in forcing you to vote with him last night, but approvement of your making y^{r} Friends vote in ye maj^{y}. Indeed that young man has so thoroughly cast off every Principle of common honour and honesty that he must become as contemptible as he is odious. I hope you will let him know you are not insensible of his conduct towards you."

"17 Feby 1774.

"It is surprising that Mr. Fox has been decent and submissive."

"28^{d} Feby 1774.

"Great joy at the Majority on a Question ag^{t} Dissenters.

"I think Mr. C. Fox w^{d} have acted more becomingly to you and himself if he had absented himself from the House, for his conduct is not to be attributed to conscience but to his aversion to all restraint."§

"26 Feby 1774.

‖ "Sorry the H. of C. has yesterday been overawed by a false love of popularity."

* The Letter of Rev. John Horne under the signature of "Strike but hear," to the Speaker, Sir Fletcher Norton, was taken into consideration by the House, and voted nem. con. to be a Scandalous Libel.

† He was only ordered to attend the House on the 14th.

‡ Fox took the high privilege ground and made Lord North join with him in voting that Woodfall (the printer) should be committed to the Gate house and not to the custody of the Serjeant at arms only. This was lost by 152 to 68; Lord North voting with Fox in the minority, Jenkinson, Dyson, and the Secretaries of the Treasury voting against the Minister.

§ Charles Fox was dismissed from his place of Lord of the Treasury on the 24th of February.

‖ On the motion of Sir Edward Astley to make the Grenville act perpet-

"14 March, 1774.

"Beginning of coercive Laws ag[t] Massachusets.

"L[d] Dartmouth approves the Bill for altering the Council of Mass. but disapproves the trying American offenders in England—prefers their Trial in Nova Scotia."

"23[d] March, 1774.

"Feebleness and futility of opposition to Boston Post Bill."

"3[d] April, 1774.

"Dispatches from L[d] Stormont w[h] information that orders have issued for the equipment of a Fleet at Toulon.

"The conduct of our Colonies makes Peace very desirable, and Russia does not deserve that we sh[d] run any risk to save her Fleet."

"8 May, 1774.

"L[d] Hardwick is to apply for his Bro[r] to be a B[p] and for Braedalb. to come again into H. of L[ds] on a declaration that he w[d] support Ministers. Dr. Yorke cannot be the first B[p] from Camb. Dr. Hurd w[d] meet general approbation."

"26 June, 1774.

"* I hope the Crown will always be able in either House of Parl[t] to throw out a Bill: but I never shall consent to use any expression that tends to establish that at no time the Right of the Crown to dissent is to be used."

"1 July, 1774.

"Just seen Mr. Hutchinson, late Gov[r] of Mass., and am now well convinced they will soon submit. He owns the Boston Post Bill to have been the only wise and effectual method."

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ual, carried by 250 to 122. Lord North, the Attorney General, Jenkinson, and Fox voting in the minority. In the debate, Fox made a violent personal attack upon Lord North, although voting with him.

* Respecting the answer to the City address, praying the refusal of the Royal assent to the Bill, to establish a fund for the administration of Justice and support of the civil government of Quebec. This Bill received the Royal assent on the 22d of June when the King prorogued Parliament.

"Wed^{y} 24 Augt 1774.

"The request of the Solicitor General in favour of Lady Erskine* does not raise him in my opinion, but I agree w^{h} you that it must be acquiesced in; at the same time the Pension applied for by the Duke of Buccleugh."

"24 Augt 1774.

"Proposes a Dissolution on acc^{t} of the Congress in America. Peace between Russia and Turkey, and unsettled state of French Ministry, and in hopes of getting more landed gent^{n}.

"Write to Chanc^{r} and Pres^{t}, but not above a week before the measure is to be put into execution."

"11 Septr 1774.

"The Die is Cast. The Colonies must now either triumph or submit. I trust they will submit. I have no objection afterwards to their seeing that there is no inclination at present to lay fresh taxes on them. But there must always be one Tax to keep up the Right."

"Month of October. Notes on Elections—Especially those for the City and for Middlesex—in wch great interest."

"27 Oct. 1774.

"Appointment of Hurd, on death of B^{p} of Bangor."

"18 Novr 1774.

"The New England Gov^{ts} are now in a state of Rebellion. Blows must decide wh^{r} they are to be subject to this country or independent."

"19 Novr 1774.

"Gen. Gage in his private letter speaks of suspending the Acts, w^{h} is absurd."

"15 Decr 1774.

"Dislike Ld N.'s proposal of sending Comm^{rs} to America to Enquire."

* Widow of Sir Henry Erskine, and Sister of the Solicitor General.

"15 Janʸ 1775.

"Grants permission to the Duke of Glouc^{r} to go abroad. Persists in refusing to make a provision for his Family. 'I cannot deny that on the subject of this D. my heart is wounded. I have ever loved him with the fondness one bears to a child.' 'His highly disgraceful step,' &c. 'His wife, whom I never can think of placing in a situation to answer her extreme Pride and Vanity.' Should any accident befal the D. I shall certainly take care of his children."

"22nd Janʸ 1775.

"* Nothing can be more calculated to bring the Americans to a due submission, than the very handsome majority that at the outset appears in both Houses."

"8 Feb. 1775.

"† The language of the address ought to open the eyes of the deluded Americans, but if it does not it must set evʸ delicate man at liberty to avow the propriety of the most coercive measures."

"15 Febʸ 1775.

"Return secret letter from Maryland. 'Though a friend to holding out the Olive Branch, yet I believe that when once vigorous measures appear to be the only means, the Colonies will submit.' I despise anonymous letters, and shall never look to the Right or to the left, but steadily pursue that Track which my Conscience dictates to be the Right one."

"19 Febʸ 1775.

"I approve the Res^{n} ‡ to be moved to morrow ab^{t} America.

* In the House of Lords, Lord Chatham's motion on the 20th January to withdraw the troops from Boston was lost by 68 to 18. In the Commons, on the motion of Alderman Harley "that the London Petition for reconciliation with America, be referred to the Committee, to whom the American papers had been referred, and that the Petitioners might be heard." This was lost by 197 to 81. A similar motion on a Petition from Bristol was rejected by 192 to 65.

† The Debates on the Address in the Commons were on the 2d and 6th, and in the Lords on the 7th of February. In the latter the Address was carried by 104 to 29. In the Commons by 304 to 105 upon the Address, and by 288 to 105 upon the Report.

‡ "That if any Colony shall make a provision that shall be approved by

Lord Suffolk tells me that the Sol^r Genl will join you on Wednesday, if he can make a real distinction to cover himself from the strictness of opposition. Ld Guernsey and Mr. C. Finch will do so, and say that the question is now different. I have sent to the D. of Newcastle that Lord T. Clinton might be recalled from Bath, but have not succeeded."

"23^d Feby 1775.

"Midd^x Election.*—Greater majority than in the last Parl^t. I dont comprehend the reason of Mr. Sol^r Genl's chusing to speak, unless he thinks upon that Question being consistent is a veil over that duplicity that often appears in his political deportment. I own the frankness of ye Att^y Genl is much more to my mind."

"28 Feby 1775.

"Mr. Lockhart to be made a Lord of Session on the application of Ld Mansfield; Sir G. Elliott's Bro^r to be Genl of the ——— "

"6 March, 1775.

"The Languor of opposition† arises from feeling the sense of the nation against them. I am convinced that the line adopted in American affairs, if rectitude, candour, and becoming firmness be attended to, will be crowned with success."

"27 March, 1775.

"I dont chuse to give encouragement in favour of Capt. Fitzpatrick. I dont chuse to fill my Family with profest Gamesters."

"4 April, 1775.

"I am astonished at the unreasonable demands of Lt Col.

Parliament for its own expences, it will be proper to forbear to levy any Tax upon such Colony unless for the regulation of Commerce." This was carried by 274 to 88.

* Upon Wilkes' motion to expunge the Resolution respecting his election and expulsion. Thurlow, (Attorney General) opposed and Wedderburn (Solicitor General) supported it. On the division the numbers were 239 to 171 against the motion.

† To the American Bills.

Maclean, which have the air of his being actuated by the overcunning his countrymen are accused of."

"6 April, 1775.

"I see by Public Advert[s] that the Livery yesterday voted a Remonstrance ag[t] American Measures. A meeting where the business was proposed by Capt. Allen cannot be very creditable. I am therefore clear there sh[d] be no answer."

"11 April, 1775.

"I send notes on the affairs of America by Gen. Burgoyne, which I think worthy of attention. Send for the General and hear his ideas. I am sorry Howe seems to look on New York as the Post of Confidence, as I think Burgoyne would best manage a negociation. A full conversation will send B. away in good humour, who at present feels a little hurt at not being a little let into the views of Gov[t]."

"21 April, 1775.

"I cannot refrain from the pleasure of just expressing the Joy I feel at the good news arrived this day from Paris, and to commend myself for not having taken any step till the former bad account should be confirmed."

Same day.

"I consent to Sir Wat. Will[ms] being Lieut[t] of Mereoneth if he means to be grateful. If otherwise; favours granted to Persons in opposition is not very politic."

"28 April, 1775.

"* Very warm zeal this day in y[e] House of C."

"15 May, 1775.

"Very great majority in favour of y[e] amendment." †

* Upon the Message for settling Buckingham House on the Queen, in lieu of Somerset House. Taken into consideration by the House on the 26th of May.

† Upon bringing up the Remonstrance of the Assembly of New York. Lord North moved an amendment censuring the claim of the New York Assembly, as derogatory to and inconsistent with the authority of Parliament. The amendment was carried by 186 to 67. Parliament was prorogued on the 26th of May.

"3 July, 1775.

. . . . . "fullest approbation of the conduct of Clavering and Francis, and the strongest censure of that of Hastings and Barwell, in the first disputes in ye Supreme Council at Calcutta."

"Augt 1, 1775.

"Considerable difficulty in finding reinforcements for Gen. Gage. The king has procured five Batt^ns^, and his Electoral Troops amounting to 2,355 effectives. They require an advance of £10,000."

"4 August, 1775.

"Precedents of paying Hanoverians in the last war, are not to be found. The business having been conducted verbally by D. of Newcastle and Mr. Munkhausen.

"I claim nothing but to be reimbursed in all expences.

"1. March through ye Electorate, and all charges till Shipment.

"2. After Embarkation, Officers and men Pay as British Troops.

"3. Expence of levying an equal number.

"4. Recruiting while in British pay.

"9th Augt 1775.

"The making Ld Chatham's family suffer for the conduct of their Father, is not in the least agreeable to my sentiments. But I should chuse to know him to be totally unable to appear on the public stage before I agree to any offer of that kind, lest it sh^d^ be wrongly construed to fear of him, and, indeed, his political conduct the last winter *was so abandoned*, that he must in the eyes of the dispassionate have totally undone all the merit of his former conduct. As to any gratitude to be expected from him or his Family, the whole tenour of their lives have shewn them void of that most honourable sentiment. But when decrepitude or death puts an end to him as a Trumpet of Sedition, I shall make no difficulty in placing the Second son's name instead of the Father's, and making up the Pension £3,000."

"18 Augt 1775.

"Blames the delay in framing a Proclamation declaring the Americans to be Rebels, forbidding all intercourse w^{h} them. 1. To prevent that intercourse; and, 2. to shew a determination to prosecute all measures to force that deluded people to submission.

"Gen. Hold^{d} is just arrived, and owns that nothing but force can bring the Americans to reason."

"26 Augt 1775.

"Lord Barrington despairs of recruiting the old Regiment, and wishes the American war to be alone carried on by Sea. The King dislikes giving Reg^{ts} in order to get men."

"10 Septr 1775.

"Address from Manchester, most dutiful and affectionate. As you wish the Spirit to be encouraged, I have no objection, though I know from fatal experience that they will produce counter Petitions.

"If the opposition is powerful next Session, it will surprise me, for I am fighting the battle of the legislature, therefore have a right to expect an almost unanimous support, for I know the uprightness of my intentions, and therefore am ready to stand any attack of ever so dangerous a kind."

"16 Septr 1775.

"Preparations for Expedition ag^{t} North Carolina; about 4,000 men to be at Cork 15 December."

"16 Octr 1775.

"Agrees to send 3,000 men, chiefly from Ireland, ag^{t} North Carolina first. Out of hope that the Highland settlers will join, will consider the raising of a Highland Reg^{t}.

"25 Oct. 1775.

"On the receipt of your letter I have ordered Elliott's Dragoons to march from Henley to Hounslow. These handbills are certainly spread to cause terror; but they may in the timid Duke I saw yesterday, but I thank God I am

not of that make. I know what my duty to my Country makes me undertake, and threats cannot prevent me from doing that to the utmost extent."

"3 Novr 1775.

"Your note containing the very handsome majority of yesterday * makes me hope that the debates on America will be shortened. The House cannot possibly hear the same speeches frequently repeated, or the H. of C. must be composed of more politeness than formerly.

"The answer of the Emp. of Russia to my letter is a clever refusal, not in so genteel a manner as I sh^d have thought might have been expected from her. She has not had the civility to answer me in her own hand, and has thrown out some expressions that may be civil to a Russian ear, but certainly not to more civilized ones. I am anxious to know wh^r the D. of Grafton, as his speeches in Parl^t daily become more hostile, does not feel it to his credit to resign his employment. If not, you must feel that I cannot let many days more elapse before I send for his Seal."

"4 Novr 1775.

"Surprised that the Opp^n in the H. of C. were not content w^t the words used in the H. of L.,† but called the measure Contrary to Law." ‡

"6 Novr 1775.

"If the Privy Seal be not conferred on Ld Weym^h, he will think himself hardly treated and will resign, which will affect Ld Gower and the rest of his party, so as at least to make them less Zealous. I trust in Ld Dart^h good sense. Many Grooms of the Stole have been summoned to Cabinet meetings, particularly the late Lord Pembroke. I propose Ld D. to attend them.—Unless Ld W. sh^d apply, I do not intend to summon him."

* On the 1st of November Col. Barré moved for a return of the number of our forces in America. It was lost by 170 to 63. The question on the 2d was on the second reading of the Militia Bill. This was carried by 259 to 50.

† A motion by the Duke of Manchester on the 1st of November, that bringing foreign troops into any part of the dominions of the Crown is dangerous and unconstitutional. This was rejected by 75 to 32.

‡ In the Commons, on the 2d November, Sir James Lowther moved that this was "Contrary to Law." This was negatived by 203 to 81.

"7 Novr 1775.

"The acc^t of Ld Dartm^h gives me infinite concern. The office of Groom of the Stole is equally honourable w^h that of Privy Seal, especially when called to the Cabinet. I feel the evil of disobliging Ld D., Ld W., or Ld George Germaine, and hope the former, as the most cool, will reconsider it. I shall do every thing to extricate you from the difficulty. You are my sheet anchor, and I shall in the whole transaction try to secure your ease and comfort. As to your offer it is most handsome, but I can never consent to it. The profits and honours of your employment are in the best hands, and I shall be glad when opportunities occur of y^r acquiring some of the solid advantages for your Family."

"7 Novr 1775.

"Though my Finances are in a very disgraceful situation, yet to make the situation you are in happy, I consent to give Ld Rochf^d £2,500 a-year and next blue Ribband. What you mention of my kindness is agreeable to me, and indeed honourable to you, as the affectionate regard I have for you arises from the very handsome conduct you have held when others shamefully deserted my service."

"8 Novr 1775.

"Ld Weym^h has chosen Privy Seal; Ld Suffolk to remain in the Northern Depart^t. Ld Dart^mh will succeed Ld Rochf^d in the Southern, and Ld G. G. the American."

"9 Novr 1775.

"Extremely displeased at Ld Dartm^h's obstinate pursuit of the Privy Seal. Ld Weym^h cannot pleasantly transact business with Spain, and Ld G. Germ. *cannot treat with the Continent.*" *

"12 Novr 1775.

"The Troops of the Duke of Brunswick shewed so much want of courage last war, that Carleton, who can have but a small number of British Troops, ought to have the Hessians."

* Lord Weymouth at last consented to release the King from his promise of the Privy seal. He consented to succeed Lord Rochford in the Southern department, and Lord Dartmouth was made Lord Privy Seal.

"13 Novr 1775.

"Opposition object to every measure proposed.* The Majy is so very great that I shd imagine it wd render the battles less frequent."

"14 Novr 1775.

"The giving Commissions to German Officers to get men I can by no means consent to; for it in plain English amounts to making me a kidnapper, wh. I cannot think a very honble occupation."

"15 Novr 1775.

"The E. I. Directors in their dispatch manifestly wish to hurt neither Hastings or his adversaries, and will therefore most probably disoblige both."

"28 Novr 1775.

"Astonishment at the presumption and impudence of bringing forward matters of the greatest delicacy in Irel^d without order."

"2 Feby 1776.

"Before I go to Dinner I must tell you that things are far from desperate wh Lord Howe, and that I dont despair of bringing things to rights by a greater degree of right-headedness in Ld Sandwich than of wrongheadedness on ye other side."

"3 Feby 1776.

"Command of North American fleet settled by Ld Sandh compliance."

"29 March, 1776.

"I cannot express my astonishment at Lord Harcourt's presumption in telling Ld Drogheda there wd be no diffy in making him an Irish Marquis. I refused to make Irish Marquises to Ld Hertford and Ld Townshend.—I desire I may hear no more of Irish Marquises. I feel for English Earls, and dont chuse to disgust them."

* On the 8th there was a Division on the Army Estimates—227 to 73. And on the 13th on raising the Land Tax to 4s. in the Pound, there was a division of 182 to 47.

"30th March, 1776.

"If strong reasons do not occur in favour of Sir John Dalrymple, I should prefer anor English Puisne Baron of Exchr in Scotd." *

"31 March, 1776.

"I shall aid your claim to appoint the Recr Genl of Jamaica as a Treasury appointment, provided the grant be made out for your Sons. I shall always be, if possible, happier than yourself to provide for your children. It has not been my Fate in general to be well served—by you I have, and therefore cannot forget it."

"25 April, 1776.

"The Absurdity of Sir J. Lowther† is so far unpleasant that it gives unnecessary trouble to the House of C. It is very plain that the Opposition dont well know how to conduct themselves, when they can submit to be led by such a man."

"30th April, 1776.

"‡Great Majr on old question."

"27 May, 1776.

"Change in Governor of the Princes, on account of their dislike of Ld Holderness. The Preceptor must therefore be also changed, to take off the appearance of a victory of the Princes over Ld H. Ld Dart. and Ld Ashburnm decline. I pressed Ld Bruce, whom you and I consider as proper from the purity of his morals, from his never having mixed in Party. I sd that Party and private Vices left me only a choice among three. He accepted, on condition that the Bp of Litchfield consented to succeed Bp. of Chester as

* The vacancy was made by the death of Baron Mure, who also held the place of Receiver General of Jamaica. An attempt was made to obtain this for Baron Mure's Son, but Lord George Germaine appointed his own son, afterwards Duke of Dorset, who held it till his death in 1841. While Baron Mure held it, the emoluments rose from £700 a-year to £1,000; but during the Duke of Dorset's time they had risen to £6,000 a-year.

† His motion was "that the Employment of Foreign Troops is contrary to the constitution and not warranted by Law." This was lost by 149 to 88.

‡ On the motion by Wilkes himself to expunge the Resolution respecting him. Lost by 186 to 92.

Preceptor. I place no small glory in being convinced that I am cordially loved by that good man (Ld Dartm^h^)."

"28th May, 1776.

"The Bp. of Lichfield has w^h^ great modesty and propriety agreed to be Preceptor. Ld Bruce declined and the D. of Montague accepted."

"17th Septr 1776.

"*The request of Ld Mansfield, after a zealous support of near 16 years without having ever asked a favour from the Crown, entitled him very reasonably to ask the mark of favour he has yesterday."

"31 Octr 1776.

"On the vacancy of the Arbp^ck^ of York, that see must be offered to the Bp. of London. If he accepts, Bp. of Chester to come to London. If not, Chester to York. I wish on this occasion to bring a man of exemplary conduct on ye Bench."

"1st Novr 1776.

"†Great appearance at the opening of Session. Though I am not credulous as to the authenticity of ye acc^t^ of Debates, yet there is one this morning which contains such admirable Strokes on the Times, stated to have been produced in y^r^ speech that it has infinitely amused me."

"4 Novr 1776.

"Secure the city of N. York. I hope the Rebel army will soon be dispersed."

"15 Novr 1776.

"I had learnt from Ld Weym^h^ that Charles Fox had declared at Arthur's last night that he sh^d^ attend the House this day and then set off to Paris, and not return till after the Recess. Bring as much forward as you can before the Recess, as real business is never so well consid-

* To be made an Earl, but with a special Limitation. He was created Earl on the 19th Oct. 1776.

† The amendment to the Address was negatived by 242 to 87.

ered as when the Attention of the House is not taken up by noisy declamation."

"13 Decr 1776.

"Rancor of Ld G. Germ.'s agnst Carleton."

Same day.

"Bp. of London came to acquaint me of the death of the Abpck of York and to decline that See."

"24 Febr 1777.

"Ld G. G. will tomorrow propose Clinton for Canada and Burgoyne to join Howe, but I don't approve the recall of Howe."

"21 March, 1777.

"The Death of the king of Portugal, the fall of Pombal, the timidity of the New Queen, and the bigotry of her husband, make me hope that I shall be able to prevent war between that country and Spain."

"29 March, 1777.

"£1,000 given in part advance to Mr. Forth, a secret agent employed at Paris."

"31 March, 1777.

"Bp. of London died this morning. I wish the Abp. of Cantr to recommend a proper successor."

"2 April, 1777.

"The Talents of the Bp. of Oxford point him out as the properest person for the vacant see. I desire you to offer it to him."

"20 April, 1777.

"*I feel great pleasure at the zealous support from so

* In Committee on the Debate on the Civil List, Sir James Lowther, on the Resolution granting an additional sum for the better support of His Majesty's Household, moved as an amendment to insert the words "and for the different branches of the Royal Family," giving as his reason the wants of the King's two Brothers. This was postponed, it being irregular to move an Amendment upon a Report, and the original Resolution was carried by 231 to 109. On the 9th of May, Sir James Lowther moved an address on behalf of the Dukes of Gloucester and Cumberland, which was negatived by 152 to 45.

large majority of the H. of C. in a matter personally regarding myself. On your fitness, except a desperate faction, there w^d not be a single dissentient voice."

"14 May, 1777.

"The French have committed Cunningham, Capt of an American Privateer, to prison at Dunkirk. A proof that the Court of Versailles mean to keep up appearances."

"31 May, 1777.

"*Ld Chatham's motion can have no other use but to convey some fresh fuel to the Rebels. Like most of the other productions of that extraordinary brain, it contains nothing but specious words and malevolence."

"4 June, 1777.

"†I have not the smallest doubt that Truth ought to be the chief object in a speech from the Throne. It is, therefore, safest to leave out the Foreign article. I also agree w^h Ld Mansfield as to the omission in the Paragraph to the H. of C. from the strange language used by the Speaker.‡ As to the last art. I am much more of his opinion which may favour the suspicion that there is an intention rather to plaister over the breach w^h the Colonies than radically to cure the Evil. In my opinion the Americans will treat before winter."

"5 June, 1777.

"Worsley, the Surveyor Genl of B^d of Workes, is dying. I think it w^d make a very pretty House of Commons employment. Adam the architect formerly applied to you;

* On the 30th of May, Lord Chatham moved an Address to stop hostilities with America. This was lost by 99 to 28.

† On proroguing Parliament on the 6th of June.

‡ On presenting the Household Bill at the Bar of the House of Lords on the 7th of May, the Speaker (Sir Fletcher Norton) had expressed the confidence of the House of Commons, "that the King would apply wisely, what they had granted liberally." This speech having been objected to by Mr. Rigby in the Commons, a motion by Charles Fox, approving of it, was carried almost unanimously without a division, and the thanks of the House given to the Speaker for his said Speech.

but if any Professional Man is named, I shall think Chambers hardly used." *

"16 July, 1777.

"If timidity actuates the French C^t to delay taking an open hostile part, some little success in N. America may make her more cautious in taking up a losing game."

"18 July, 1777.

"Sir W. Hamilton has not given up his idle application of being made a Privy Counsellor. It is but lately Embass^ds have got that feather. It w^d be improper to be given to Envoys. We must husband honours."

"17 Augt 1777.

"French proposals through Forth."

"22 Augt 1777.

"It is irksome to find the conduct of the French so fluctuating, whether from timidity or duplicity."

"19 Sept. 1777.

"Having paid the last arrears on the Civil List, I must now do the same for you. I have understood by your hints that you have been in debt ever since you settled in Life. I must therefore insist that you allow me to assist you with £10,000, £15,000, or even £20,000, if that will be suff^t. It is easy for you to make an arrangement, and at proper times to take up that sum. You know me very ill, if you dont think that of all the letters I ever wrote to you this one gives me the greatest pleasure, and I want no other return but your being convinced that I love you as well as a man of worth as I esteem you as a Minister. Y^r conduct at a critical moment I never can forget.

"Wentworth and Edwards, two Agents at Paris, prophecy War."

"28 Oct 1777.

"Y^r letter to Ld Howe will I trust make him turn his

* Mr. Keene was appointed.

thoughts to the mode of War best calculated to distress the Americans, wh. he seems as yet carefully to have avoided.

"Uniform preference of Thurlow to Wedderburn."

29th Novr 1777.

"I should have thought the handsome proposal delivered by you to the D. of Gloucester wd have deserved at least the Civility of not applying for a public provision for a Person *who must always be odious to me.* Your answer was highly proper, and confirms my opinion of your being the fittest messenger for matters of delicacy; as you stick to your instructions, which you do not mutilate by chusing to explain."

"4 Decr 1777.

"Thanks for L. N.'s firmness in supporting the reverses in America."

"21 Decr 1777.

"A letter written by Franklin or by his Instructions singular. The writer adds, 'Offensive, and calculated to increase animosity,' but Franklin is too deep to draw it up solely from Malevolence; it occurs to me, therefore, that if he cd obtain any answer, it wd be tacitly acknowledging him and his Colleagues in the Capacity they assume, and consequently admitting the Right of the rebel Colonists to make such appointments and to be united States; and perhaps, if he does not succeed in that object, of publishing something in Europe that may carry the air of our having acted with cruelty, wh I am certain no Officer, either military or civil in my service, could be guilty of. They certainly cd not make much *distinction among Rebels;* but if they have erred, I rather think it has rather been from too much civility towards them."

"25 Decr 1777.

"If it shd be thought right to enquire through a Board of General Offrs into the defence laid by Lt Gen. Burgoyne that his orders were positive (wh I much incline to), the reference ought to extend to the failure of the expedition. Ld G. G. may be contented with an enquiry into what bears on himself; but when my name is mentioned, it shd be a

candid, not a partial enquiry. Ld G. seemed yest^y to agree it sh^d not perhaps be termed a Court of Enquiry; but all the General Off^rs Equal or superior in rank to Genl B. who have served in America sh^d be assembled to enquire."

"27 Decr 1777.

"The letters from Wentworth are wrote with so little method, and are so verbose that it is very difficult to collect what he wishes to convey. Mr. Eden * is the very opposite. He writes in a short, clear, and intelligent stile, and has stated all that is nccessary. I am surprised that so many of the Cabinet have doubted of the propriety of bringing the unhappy fate of Ld G. Bur^ne exped^n † to an Enquiry."

"28 Decr 1777.

"The letter from Mr. Wentworth has certainly a very unpleasant appearance, though I cannot think it of so certain a nature as to look upon a war w^h the H. of Bourbon as inevitable."

"31 Decr 1777.

"Wentworth is an avowed Stockjobber, and, though I approve of Employing him, I never let that go out of my mind. This despatch has nothing to build on, but it convinces me that Bancroft is entirely an American, and that every word he has used on the late occasion is to deceive. Perhaps they think Went. sent from Fear. If that is Franklin's opinion, the whole conduct he has shewn is wise."

"2 Jany 1778.

"I have declined accepting the proposals of Mr. Campbell and Mr. Johnes. Most of their officers having never been in the army, we are to encourage rais^g indep^t companies in Wales."

"5 Jany 1778.

"The Letter of Went^th is so exact a copy of the one rec^d

* Afterwards created Lord Auckland.
† Saratoga.

from the Ambass^r that it does not require great sagacity to see that the intelligence has been collected from the former. Whether it is exactly true or not, we are taking all the steps that w^d be proper if the intentions of our neighbours sh^d prove as represented."

"7 Jany 1778.

"However insidious the conduct of France may appear, it is pleasant to feel that we are taking all necessary steps; and my mind is perfectly prepared to meet what I sh^d certainly think a very unhappy event, from the consciousness that I have scrupulously attempted to avoid, and that with a single grievance France chuses to be the aggressor. Mr. Forth writes without flowers, and the whole of his Stile seems to shew he expects a War."

"9 Jany 1778.

"I believe nobody ever thought of employing Prince Ferd^d of Brunswick in N. America; but Lord ———'s correspondent at Wilton, Doyley, told Ld G. Germ. that it sh^d be well considered who was to have the command in Am. For that w^h the letters wrote from hence to the Brothers it was neither safe nor prudent to leave it with them. Let this be enquired into."

"10 Jany 1778.

"D'Oyley explains that he meant 'That after the letters that had been written to the Houses, it sh^d be nec^s to use means of persuading them to remain in the command, if it was wished that they sh^d remain;' and that by the letters he meant the last despatches of Ld G. Germain to Sir W. Howe, w^h were so cold and dry in respect to Sir W^m successes in Pennsy^a, and left him in doubt of his continuance in the command."

"13 Jany 1778.

"Voluminous and undigested letters of Mr. Wentw^th. Things seem on the same uncertain ground as last year.

"A Trifle may any hour cause War to break out; and though the French Ministers wish to avoid it, yet they will not leave off their dealings with Rebels, by which they ev^y

day may be drawn into what they don't chuse. Frank[d] and Deane either have no power to treat or are not inclined. While nothing short of independency will be accepted, I don't think that there is a Man either bold or mad enough to presume to treat for the Mother Country on such a basis. Perhaps the time will come when it may be wise to abandon all Amer. but Canada, Nova Scotia, and the Floridas; but then the generality of the nation must see it first in that light, but to treat w[h] Independents can never be possible. 'L[d] Amherst thinks nothing less than an additional army of 40,000 men suff[t] to carry on offensive War in N. Amer.; that a Sea War is y[e] only wise Plan, to make the Amer. come into any Plan that G. B. can decently consent to; and that at this hour they will laugh at any proposition. As to y[e] Gen[ls], it will be diff[t] to get Sir W. H. to remain, and not less so to get L[d] G. G. to act with him in such a manner as will make the efforts of others not abortive on that head.' What is still more material to be settled is the Plan on w[h] Administration is to repel the diff[t] attacks when Parliament meets, as to calling for Papers, proposing enquiries, &c., &c."

"16 Jan[y] 1778.

"I return Papers from Wentw[h]. I do not trust much to acc[ts] from Bancroft. He is a stockjobber, and is not friendly to England. Perhaps the Manager is not less a dabbler. Above all he wishes to be tho[t] active. Men of his cast are credulous."

"17 Jan[y] 1778.

"The enclosed Paper from Sir J. Yorke gives me the same opinion with you, that is he so thoroughly trained to business there are but few situations he w[d] not fill with credit. One is sorry, when there is so great a dearth of able men, that he sh[d] be immured in the Post of Political Watchman at the Hague."

"31 Jan[y] 1778.

"I sh[d] have been greatly surprised at the inclination expressed by you to retire, had I not known that, however you may now and then despond, yet that you have too much personal affection for me and sense of honour to allow such

a thought to take any hold of y^r^ mind. (Great praise followes.) You must remember that before the recess I strongly advised you not to bind yourself to bring forward any Plan for restoring tranquillity to N. Amer., not from any absurd ideas of unconditional submission, which my mind never harboured, but from foreseing that whatever can be proposed will be liable not to bring Amer. back to her attachment, but to dissatisfy this Country, w^h^ so cheerfully and handsomely carries on the Contest, and has a right to have the struggle continued until convinced that it is vain. Perhaps this is the minute that you ought to be least in hurry to produce a plan, for every letter from France adds to the probability of a speedy declaration of War. Sh^d^ that happen, it might be wise to withdraw the troops from the Revolted Provinces, and, having strengthened Canada, &c., to make war on the French and Spanish Islands. Success in that object will repay our exertions; and this Country, having had its attention diverted to a fresh object, w^d^ be in a better temper to subscribe to such terms as Administration might offer to Amer. I dont mean to reject all ideas, if a Foreign War sh^d^ not arise this Session, of laying a Proposition before Parl^t^, &c."

"2nd Feby 1778.

"Though Ld Chat^m's^ name, which was always his greatest merit, is undoubtedly not so great as formerly, yet it will greatly hurt Ld Rock.'s Party w^h^ many factious Persons to see that he disavows as unjustifiable the lengths they w^d^ go in favour of America, and will therefore prove a fortunate Event to the Introducing into Parl^t^ the Proposal you intend to make. I look on the recall of Sir W. H. as a measure settled. Ld H. will resign. Yet he must be named in the new Comm^n^; but if he comes home I think neither Genl nor Adm^l^ ought, but Peers and Commoners from hence."

"2 Feby 45 min. past 10, P.M.

"* When next the Committee on the State of the na-

* In the Committee on the State of the Nation, Charles Fox moved a Resolution against any more Troops of the old Corps being sent out of the Kingdom. Nobody said a word, and Fox's motion was negatived by 259 to 165.

tion is resumed, I trust Gentlemen will be more ready to speak, as you of course must wait for the conclusion. I sh^d think Ld G. Ger. might with great propriety have s^d a few words to put the defence in motion."

"8rd Feby 1778.

"If the intelligence sent by Benson is founded, France has taken her Part and War is inevitable."

"5 Feby 1778.

"In talking of your plan for opening a neg^n w^h Amer. Ld G. G. s^d to me he was convinced the repeal of the Boston Charter act w^d not alone bring the Colonies into any Propositions; that the Declaratory act, though but Waste Paper, was what galled them; that he sh^d not like nominally to be drove to repealing it. If, therefore, any step was to be taken at this hour, he w^d wish it might be one which w^d not require any *further concessions*, and he therefore wished all the acts might be repealed subseq^t to 1763. That he w^d fairly own the taking any step at this Juncture might either be conducive to hurrying France into a treaty w^h the Rebels, or it might make the Colonies less inclined to treat w^h that insiduous * nation, THAT HE C^D NOT DECIDE WHICH SEEMED MOST PROBABLE."

"7 Feby 1778.

"† Long Debates Wed^y, Thursday, and last night."

"9th Feby 1778.

"The Intell^ce from Wentw^th, if certain, shews that the veil will soon be drawn off by the C^t of France, wh. makes me wish you w^d not delay bringing in y^r proposition. Sh^d a French war be our fate, I trust you will concur w^h me in the only means of making it successful, the withdrawing the greatest part of the troops from America, and employing them ag^t the French and Spanish settlements; but if we

* Sic.

† Upon clothing the new Levies which had been raised without the consent of Parliament, and upon the employment of Indians in the war in America. This was on Mr. Burke's motion, in which his speech was considered by him the best he ever made. It was ill reported, strangers having been excluded. The motion was negatived by 258 to 137.

are to be carrying on a land war ag^{t} the Rebels and ag^{t} these two Powers, it must be feeble in all its Parts, and consequently unsuccessful."

"17 Feby 1778.

"*Ld Chancellor this day wrote to Ld Suffolk to notify his having declined any further attending confidential meetings, and returned the key of the correspondence Boxes. Ld Suff. went by my directions and explained the mistake wh. had occasioned his warmth. The Chan^{r} has consented to take back the key, and has expressed great esteem for all the members of the Cabinet except Ld G. G.

"18 Feby 1778.

"Chanc$^{r's}$ displeasure and suspicion connected in some manner w^{h} Ld G. G.'s cold letters to Sr W. H. From Forth's letter the object of the young officers is War, w^{h} the French ministers wish to avoid, but run so near the wind that the two nations will probably be involved. Almodavar announced to succeed Masserano from Spain, looks pacific."

"24 Feby 1778.

"French have stopped the Newfoundland and Iceland fisheries."

Same day, 9 P.M.

"Wishes a list of speakers.† 'The more I think of the conduct of the Advocate of Scotland ‡ the more I am incensed ag^{t} him. More favours have been heaped on the Shoulders of that man than ever were bestowed on any Scotch lawyer, and he seems studiously to embrace an opportunity to create difficulty. But Men of Tallents, when not accompanied with Integrity, are Pests instead of Blessings to Society; and true wisdom ought to crush them rather than nourish them.'"

* Lord Bathurst.

† Debate on Mr. Powys's motion of an instruction to the Committee on Lord North's conciliatory Bills, to receive a Clause repealing the Massachusetts Bay Bill. Negatived by 181 to 108.

‡ Dundas. He did not speak either in this or in the former debate on Lord North's Bills.

"8 March, 1778.

"Agrees to give Mr. Eden £1,000 as outfit in the Comm[n], * but objects to make the Comm[rs] Privy Counsellors."

Same day, afternoon.

"I think L[d] G. Ger[n]'s defection a most favourable Event. He has so many Enemies that he w[d] have been a heavy load when the failure of Burgoyne came to be canvassed in Parl[t]. Yet I never w[d] have recommended his removal. Now he will save us all trouble. The laying it on my bequeathing† the Gov[t] of Charlemont on Carleton is quite absurd, and shews the malevolence of his mind. Carleton was wrong in permitting his Pen to convey such asperity to a Sec[y] of State, and therefore has been removed from the Gov[t] of Canada. But his meritorious defence of Quebec made him a proper object of military reward, and as such I c[d] not provide for any o[er] Gen[l] till I had paid the Debt his services had a right to claim."

"8 March, 7 P.M.

"Decisive news of War from Thornton and from Edwards and Forth. Among other expedients suggests, if the answer of Spain be not explicit, to station a Fleet to seize the Flotilla from the Havanna."

"6 March, 1778.

"Intelligence from Mr. Thornton of discontents among the Leaders in America.—Hopes."

"7 March, 1778.

"Admiral Mann refuses to serve. Sir C. Hardy offered his services. 'He was second in command to L[d] Hawke in the engagement w[h] Conflans, therefore ostensible—and, Keppel and Howe out of the case, as fit as any one high enough in the List.' Great Heats in the Navy."

* The three Commissioners under Lord North's bill were Mr. Eden, Governor Johnston, and Lord Carlisle.

† So in the original.

"12 March, 1778.

"In the list of speakers in favour of Mr. Fox's motion* I see Vice-Admiral Keppel took a part wh. will disappoint L[d] Sandwich; he having uniformly pretended that the Adm[l], tho' very adverse on all political points, is much of his opinion in Marine affairs."

Not dated, but written on 15th March, 1778.

"On a subject which has for many months engrossed my thoughts, I cannot have the smallest difficulty instantly to answer the letter I have just received from you. My sole wish is to keep you at the head of the Treasury, and as my Confidential Minister. That end obtained, I am willing through your Channel to accept any description of Person that will come avowedly to the Subject of your administration, and as such do not object to Ld Shelburne and Mr. Barré, who personally perhaps I dislike as much as Alderman Wilkes; and I cannot give you a stronger proof of my desire to forward your wishes than taking this unpleasant step. But I declare in the strongest and most solemn manner, that I do not object to your addressing yourself to Ld Chatham; yet that you must acquaint him that I shall never address myself to him but through you, and on a clear explanation that he is to step forth to support an administration wherein you are first Lord of the Treasury, and that I cannot consent to have any conversation with him till the Ministry is formed; that if he comes into this I will, as he supports you, receive him with open arms. I leave the whole arrangement to you, provided Lord Suffolk, Lord Weymouth, and my two able Lawyers are satisfied as to their Situations; but chuse Ellis for Sec[y] at War in preference to Barré, who in that event will get a more lucrative Employment, BUT WILL NOT BE SO NEAR MY PERSON.

"Having said this, I will only add, to put before your eyes my most inmost thoughts, that no advantage to my Country nor personal danger to myself can make me address myself to Lord Chatham or to any other branch of opposition. Honestly, I would rather lose the Crown I now

* On the state of the navy. Keppel said he preferred having a small Fleet well fitted, to a large one badly equipped.

wear than bear the ignominy of possessing it under their shackles. I might write volumes if I would state the feelings of my mind; but I have honestly, fairly, and affectionately told you the whole of my mind and what I will never depart from. Should Lord Chatham wish to see me before he gives an answer, I shall most certainly refuse it. I have had enough of personal negotiations, and neither my dignity nor my feelings will ever let me again submit to it.

"Men of less Principle and honesty than I pretend to may look on public measures and opinions as a game. I always act from conviction; but I am shocked at the base arts all those men have used, therefore cannot go towards them. If they come to your assistance, I will accept them."

Also without date, but written on 15th March, 1778.

"You have now full Power to act, but I dont Expect Lord Chatham and his Crew will come to your assistance; but if they do not, I trust the rest of the arrang^{t} will greatly strengthen and will give efficacy to Administ^{n}.

"Thurlow as Chanc^{r}, Yorke as Secretary of State, will be efficient men. Numbers we have already. Ld Dartm^{h} as Steward and Ld Weym^{h} as Privy Seal will please them both. I am certain L^{d} W$^{h's}$ conduct on y^{e} last Vacancy gave him a right to this change, if agreeable to him."

"16 March, 1778.

"You can want no further explanation of the language held to Mr. Eden the last ev^{g}. It is so totally contrary to the only ground on wh. I c^{d} have accepted the services *of that perfidious Man* that I need not enter on it. Lord Chatham as Dictator, as planning a new Administration, I appeal to my letters of yesterday * if I did not clearly speak out upon. If Ld Chatham agrees to support y^{r} administration, or (if you like the expressions better) the fundamentals of the present administration, viz., Ld N. at the head of the Treasury, L^{ds} Suffolk, Gower, and Weym^{h} in great offices to their own inclinations, Ld Sand^{h} in the

* See the two last letters, without date.

Admiralty, Thurloe Chan[r], and Wedd[e] a Chief Justice. I shall not object to see that great man, when L[d] Shelburne and Dunning with Barré are placed already in office, but I solemnly declare that nothing shall bring me to treat personally w[h] L[d] Chatham. If I saw L[d] C. he w[d] insist on as total a change as Lord Shelb[e] yesterday threw out."

"16 March, 1778.

"I am fully convinced that you are actuated alone from a wish not to conceal the most private corners of your breast in writing the letter you have just sent unto me; but, my dear Lord, it is not private pique, but an opinion formed on an experience of a Reign of now Seventeen years, that makes me resolve to run any personal risk, rather than submit to Opposition wh. every plan deviating from strengthening the present administration is more or less tending to. I am certain, while I can have no one object in view but to be of use to the Country, it is impossible I can be deserted, and the road opened to a set of men who certainly w[d] make me a Slave for the remainder of my Days, and, whatever they may pretend, w[d] go to the most unjustifiable lengths of cruelty and destruction of those who have stood forth in public offices, of wh. you w[d] be the first Victim."

"17th March, 1778.

"L[d] Amherst advises an immediate retreat from Philadelphia to New York, and, if the Amer[s] be resolved, on the arrival of the Commissioners, to join France, he advises the evacuation of N. Y. and Rhode Island, and the troops to be employ[d] ag[t] the W. I. Islands."

"17 March, 1778.

"I am grieved at your continually recurring to a subject on which we never can agree. Your letter is certainly personally affectionate to me: it shews no sign of personal fear; but, my dear (Lord) A no consideration in life shall make me stoop to opposition. I am still ready to accept any part of them that will come to the assistance of my present efficient Ministers; but whilst any Ten Men in the Kingdom will stand by me, I will not give myself up into

bondage. My dear (Lord) A I will rather risk my Crown than do what I think personally disgraceful. It is impossible that the nation sh^d not stand by me. If they will not, they shall have anoth^r King; for I never will put my hand to what will make me miserable to the last hour of my life. Therefore let Thurlow instantly know that I will appoint him Chanc^r; and the Sol^r Genl that, if he does not chuse to be Att^y Genl, he will treat w^h the C. J. of the C. P. to resign."

"18th March, 1778.

"I am highly incensed at the language held by Ld Shel. last night to Eden, and approve of that of the latter. I am fairly worn down. But all proposals and answers made in future go through you, for I will not change the Administration; but if I can with honour let you make acquisitions."

Same day.

"Convey to Thurlow and Wed^n my Intentions. Then and not till then I am open to the plan of Ministry proposed by you on Sunday. I never will accept the services of any Part of Opposition but to strengthen you. To give you Ease, I consent to what gives me infinite Pain, but any farther even that consideration will not make me go. Rather than be shackled by those desperate men (if the nation will not stand by me) I will rather see any form of Gov^t introduced into this Island, and lose my Crown, than wear it as a disgrace."

"22^d March, 1778. ½ past 8, A.M.

"I can scarcely express my disappointment at finding that all the uneasiness and labour I have undergone for the whole week has not convinced you that, tho' you are unhappily too diffident of your own abilities, yet that you ought also to consider that you have changed your ground since Sunday. I will never consent to *removing* the members of ye present Cabinet from my Service.

"I am extremely indiff^t whe^r Ld Granby goes or does not go with the abject message of the Rock^m Party to Hayes.*

* Lord Chatham's house in Kent.

Lord
I will certainly send none to that Place. 'My dear A your now always recurring to a total change of the Adminis[n] obliges me to ask you one clear question: if I will not by your advice take the step wh. I look on as Disgraceful to myself, and destruction to my Country and Family, are you resolved, agreeable to the Example of the D. of Grafton, at the hour of danger to desert me?'"

"23rd March, 1778.

"I cannot return the message without expressing my satisfaction at your determination not to desert at this hour, wh. indeed I always thought y[r] sense of honor must prevent."

"26 March, 1778.

"The many instances of the inimical conduct of Franklin makes * me aware that hatred to this Country is the constant object of his mind, and I trust that fearing the rebellious Colonies may accept *the generous* offers of y[e] Com[rs], his chief aim in what he has thrown out is to prevent their going, or to draw out of Adm[n] an inclination to go farther than the Act of Parl[t], that information from him may prevent America from concluding w[h] the Com[rs]. Yet I think it so desirable to be enabled to close the War w[h] that Country, to be enabled with redoubled vigour to avenge the faithless and insolent conduct of France, that I think it may be proper to keep open the channel of intercourse with that insidious man. In no Treaty must there be a word of Canada, or Nova Scotia, or the Floridas."

"27 March, 1778.

"By Lord Buck's two letters I see that he has become quite Irish in his opinions. Be on your guard not to encourage him so as to draw this Country into granting too many advantages in Trade to Ireland. If that Kingdom is to have any graces of that kind, I desire they may be granted with a sparing hand, for every favour granted there is only a reason for asking a greater.

"It is by keeping *Canada on its present foot*, that is alone to secure the dependence of America, with troops in the Floridas and Nova Scotia."

* Sic.

"29 March, 1778.

"Your constant recurrence to a measure I think destructive. Your avowed despondency, which is highly detrimental to my service, obliges me to * the three foll^g Questions:— 1. Do you think it possible to strengthen the present adm^n by any accession of some Men of Talents from the opposition? 2. If that cannot be effected, will you consent to continue and try to *exert yourself* and co-operate with me in putting vigour and activity to every Department? 3. If you decline continuing, you cannot, I suppose, refuse Presiding at the Treasury, and finishing the Business of this Session, and not be surprised at my taking such steps as I think necessary for strengthening my Admin^n, the first of wch will be my giving the great Seal to the Attorney Genl."

"30 March, 1778.

"I am sorry to perceive that, by declining the first two Questions, you have adopted the third. It w^d be useless to describe the pain I feel at the prospect of losing you. Send to Mr. Thurloe and inform him that I intend the Great Seal and a Peerage for him; and as I wish to do every thing for your ease, not detrimental to my service, to the end of your holding your employment, I authorize you to persuade Mr. Wed. not to quit the H. of C. till the end of the Session. Tell him it will be a contract I shall never forget, and one of your last acts shall be to complete the arrangement with the C. J., that he may preside in the Common Pleas."

"31st March, 1778.

"Pleased at L^d N^s consent to remain after the Session, as long as was necessary for arrang^ts."

"1 April, 1778.

"The letter I have just received from you is in the affectionate Stile I used to find ever to be called forth in you when my Service was concerned, and so very unlike the coldness and despondency of y^r correspondence for some time, that I cannot refrain the pleasure of expressing my

* Sic.

satisfaction at it. I am clear that Mr. Jackson ought not to be allowed to go, and that Johnstone, if made palateable to Ld Carlisle, w^h^ I sh^d^ think Eden might easily manage, w^d^ not be an improper person."

"2 April, 1778.

"Let Thurlow know his app^t^ next Saturday. You renew your request of being released. I cannot stir till the Great Seal is in reputable hands. The station of Sol^r^ Genl is quite diff^t^. A permanent arrangement must be made to satisfy him. The Attorney is to be brought forward to give energy to the first station in the Law, therefore I only press for what is of use to my service, and leave the other to y^r^ arrangements when it suits you best."

3^d^ April, 1778.

"The demand of pay by Mr. Eden is rather exorbitant: but I shall consent to what you think reasonable, always trusting that the expense is not in the end to fall on my Civil List. For this letter has an appearance of truth. We shall soon hear from Lord Grantham if it is exact."

Same day.

"The new diff^y^ started by the Chief Justice seems unpleasant, but on consideration it alleviates many, for it w^d^ be impossible to give him a Peerage at this time, cons^e^ he will not resign. The Sol^r^ Genl must chuse between being Att^y^ Genl and making an arrangement w^h^ the Master of the Rolls. By either, he will be kept in the House of C^s^. As to the Chief Justice thinking himself ill used by T.* having a Peerage, it has not the smallest foundation. I offered him the Great Seal and a Peerage, which he declined. I want an able Chan^r^, and therefore have pitched on Mr. Thurlow: it is no preference to give a Man a Peerage because he holds an office in wh. he cannot be of complete use without a Seat in the H of L^s^."

"6 April, 1778.

"It is unpleasant to see gentlemen so little concerned for

* Thurlow.

the Country as to let the House Tax only to be carried by Five Votes."

"A messenger is arrived from Berlin. The K. of Prussia seems desirous of forwarding our Treaty with Russia, provided he meets with assistance.* A Cabinet tomorrow. I am sorry that the K. of Prussia stoops to tell untruths, wh. certainly is the case in an insinuation that Austria encourages France to make the Treaty with the Rebels, and has pressed her to attacking my German Dominions."

"8th April, 1778.

"C. J. De Grey refuses. May not the political exit† of Ld Chatham incline you to continue at the head of my affairs? If it will not, you cannot be surprised that I again mention it, and if I must here add that I cannot begin to form any plan till Mr. Thurlow is in possession of ye great Seal."

"8 April, 1778.

"Deeply affected at the death of Sir J. Clavering, avails himself of usage and etiquette to avoid the evident pain of a public and scene of leave to the American Commrs. I desired Mr. Eden will prevent its being expected."

"14 April, 1778.

"In the Division last night‡ the Country gentm have taken the opportunity to shew their Love for Contractors."

"15 April, 1778.

"To avoid Three Peerages on the promotion of Mr. Thurlow, I prevailed on C. J. de Grey to consent that his shd be postponed till the next creation, and conferred upon

* In the war against Austria.

† On the 7th of April, Lord Chatham was taken ill during the debate on the Duke of Richmond's motion on the State of the Nation. He never again appeared in the House of Lords, and died on the 11th of May at Hayes.

‡ Debate on the Bill to exclude contractors. The motion (by Sir P. J. Clarke) for leave to bring it in was carried by 71 to 50. It was carried against the Government also on the second reading, on the first of May, by 72 to 61. On the motion for going into Committee on the 5th of May, it was thrown out by 113 to 109.

his family if he sh[d] not then be living. I am ready to mention to the L[d] Chanc[r] myself the necessity of his resigning."

"16 April, 1778.

"I will try whether Keppel cannot be persuaded by the promise of additional ships to detach a force to beat D'Estaing before he passes the Gut of Gibraltar."

"18 April, 1778.

"Not having received any answer to the letter of Wed[y] Ev[g] by wh. I had removed the difficulty of three Law Peers, I on Thursday Evening explained to the L[d] Chancellor the impossibility of continuing him in office, he having declined to attend the Consultations of my Ministers. He saw the necessity, and will deliver the Seal whenever called upon by me. Thurlow may receive it on Wed[y] and be presented with the C. J. on Wed[y]."

Same day, 8 P.M.

"As your letter plainly shews that you at all events expect to be released from your situation at the end of the Session, and that you cannot extricate yourself even for that Small Period, if the Law arrangements you yourself proposed to me take place, I think it best on y[e] whole to make no arrangement this recess; and you are therefore dispensed from taking any steps concerning the present Attorney and Sol[r] Generals, or any Successor to them."

"May 5 and 6th, 1778.

"Remember the last words you used that you did not mean to resign."

"May 12th 1778.

"I am rather surprised at the Vote of a public Funeral and Monument for Ld Chatham,* but I trust it is worded

* An address was moved by Colonel Barré, "that the king would give directions that Lord Chatham be interred at the public charge." To which Dunning moved as an amendment "that a Monument be erected in Westminster Abbey to the memory of that excellent Statesman, with an Inscription expressive of the public sense of so great and irreparable a loss." The motion as amended was carried nem. con.

as a Testimony of gratitude for his rouzing the Nation at the beginning of the late War, and his conduct as Sec^y of State; or this compliment if paid to his general conduct is rather an offensive measure to me personally. As to adding a Trifle to the Pension I have no objection. As the fresh touching upon the wish to retire convinces me of Lord North's intention at all events to resign, I can only add that as soon as he has arranged the day of Mr. Thurlow's receiving the Great Seal, I will when I have that Office in such respectable hands, not lose an hour in consulting with the new Chancellor, and with some of my principal Ministers now in ye Cabinet, how least to the detriment of the Public Service to supply what I must ever look on as so great a loss. Lord North will by this perceive the sooner he can notify that the road is clear for my nominating a Chanc^r the sooner he will be freed from his present uneasy situation."

"14 May, 1778. ½ past 10 P.M.

"When Major Ackland was presented yesterday, I told him to come today at ½ past eleven, to give me an account of the different scenes he has been engaged in since he left this Island. The zeal he has shewn made me think him deserving of this distinction. I find he is very sensible of it, by his having mentioned my intention with pleasure."

"17 May, 1778.

"Just promised the letters of the late Sir J. Clavering to Mr. Francis on Mr. Hastings' refusal to resign and dismissal of Sr J. C. from his civil and military stations. I cannot help renewing what I wrote a few days ago unto you, that if the E. I. Comp^y do not in the most decided manner remove Messrs Hastings and Barwell, the dignity of Parl^t, and, what is still more essential, *the subversion of the legal acts of the Legislature*, is annihilated. The Judge ought also to be removed. It is a *daring event* that requires great energy."

"19 May, 1778.

"I never meant to grant you the Wardenship of the

Cinque Ports for life. The being once persuaded, when quite ignorant of public business, to grant that office for life to Ld Holdern for a particular object, is no reason for doing so now. I daily find the evil of putting so many employments out of the power of the Crown, and for the rest of my Life, I will not confer any in that way, unless where antient practice has made it matter of course. I will confer it on you during pleasure, with an additional salary to make it equal to the sum received by Ld Hold: It must be termed an additional salary that the income may not be increased in o^r^ hands. Sir R. Walpole's Pensions during life, was natural. He had firmly for twenty years withstood a strong opposition. *The Crown deserted him*, and his Enemies came into office. No other mode therefore w^d^ have done. Mr. Grenville got the reversion of the Tellership before he came into the Treasury, as a compensation for resigning his pretensions to the Speaker's chair. Ld Northington's Pension for Life, was a shameful bargain of the Idol of the H. of C. to get the great seal for Ld Cambden. In addition to the C. Ports, I shall not object to a reversion of a Tellership to y^r^ Family; but I sh^d^ much prefer your remaining at the head of the Treasury, where many opportunities will of course arise by wch I may benefit your Family, without fixing a bad Precedent.

"Why is the app^t^ of Mr. Thurloe not concluded? *You want to retire, yet will not take the first step to enable me to acquiesce in your request.*"

"22^d^ May, 1778.

"The handsome conduct of the Solicitor General on this occasion, has made a deep impression on my mind. I desire that it may be ex^d^ wh^r^ some mark of my approbation cannot be conferred on him on this occasion, but I decidedly decline the arrangement proposed of vacating the Chief Justice^p^ of ye Common Pleas for the Speaker, whose adverse conduct cannot make me deem it wise or expedient to place him in that office, particularly w^h^ a Peerage.

"Send for the Attorney Genl and inform him there remains no farther impediment to his instantly getting the Great Seal. I shall cert^y^ offer him a security equal to

Lord Cambden's Pension when he quits, wh. is more delicate than any application for him. But I shall try to avoid granting a reversion of a Tellership, as I am anxious to give that to your Family, w^r^ you remain or not in yr. present situation."

"24 May, 1778.

"Agreeably to yr. recommendation, I have told the Att^y^ Genl that I mean to accompany the Great Seal by the reversion of a Tellership and a floating Pension. You this day renewed yr. wish to be released from your present employment. I will examine w^r^ it be possible, always relying that, if I cannot fix on any mode that I think of advantage to ye Public, you will consent to continue."

"25 May, 1778.

"It used to be usual consequence of Foreign War to make opposition avoid distressing Government. But this as well as public Zeal seems equally destroyed in this unprincipled age. I am glad the majority have rejected so improper a motion.*"

"26 May, 1778.

"The degree to which you have pressed me to resign for the last three months, has given me much uneasiness; but it never made me harbour any thought to the disadvantage of your worth. Now you are alarmed lest you have offended me, when there is not the least reason, as you have declared a resolution of continuing, if I cannot make an arrangement to my satisfaction. This determination thoroughly satisfies me."

"29 May, 1778.

"It appears rather particular that Mr. Burgoyne† sh^d^

* Sir William Meredith's motion for Papers, on the Sailing of the French Fleet from Toulon, and the State of the British navy. It was lost by 117 to 91 on one Resolution, and the other was defeated by 125 to 89 on Lord North's motion for an adjournment.

† Burgoyne spoke and entered fully into the subject in the debate on the 26th of May upon Mr. Viner's motion on the Convention of Saratoga. Mr. Fox moved an Amendment to consider the Transactions of the Northern Army under Burgoyne. This was lost by 144 to 95, and the original motion was then negatived without a division.

wish to take a lead in opposition, when his own situation seems to be far from pleasant or creditable."

"1st June, 1778.

"I am sorry to find the Attorney Genl rather retracts: I feel the propriety of keeping him in his present situation, and if any kindness from me on Wednesday can effect it, you may rest assured he shall be got into thorough good temper."

"2d June, 1778.

"I have seriously attempted to release you, but am convinced how detrimental it wd be to the Public. Your language for the last ten days has been encouraging, and has shewn a desire to continue. I therefore trust the same attachment will prevent your being swayed by the unfortunate events which at the beginning of a war may be expected in some of the wide possessions of this great Empire, to take the same idea of retiring at an hour perhaps still more inconvenient. I also trust the summer's repose will enable you to rouse your mind with vigour to take the lead again in the House of Commons, and not to let every absurd idea be adopted as has too recently appeared. I know you complain the House does not attend to your wishes, but your own candour must also convince you that it is impossible your ideas can be followed, whilst you have not yourself decided the Path you mean to take. The moment you will decide, the Love and Esteem most of the House have for you, will appear conspicuously, and a little attention on your Part to the most efficient men, will restore due order. I cannot help touching on anor delicate point. The greatest part of your difficulties arises from your entering too far with others in plans of business, but particularly arrangements of employments without fairly stating your sentiments unto me. Where can you repose your undigested thoughts more safely, than in the breast of a man who has always treated you more as his Friend than as Minister?

"I will authorize Lt Genl Fraser to arrange the Duchy of Lancaster with Mr. Wedd. on his accepting the Attv Genl'ship. I find the Attorney General takes the title of Yarmouth, wch being a Norfolk man, I expected."

"3d June, 1778.

"Acquaint Mr. Wall.* that he is to vacate as Solr Genl this day,† and Wedd. as Attorney. Lord Clarendon must be provided for by Office."

"26 June, 1778.

"You inform me that the Speaker is come to Town to have his Audience this day. I shall very patiently hear him, and certainly say as little as possible."

"3d July, 1778.

"I have just had a very long conversation with Sir W. Howe, the substance of which was his very strongly declaring that nothing can make either his Brother or him join the Opposition, but that Ld G. Germ. with his Secretaries Nox ‡ and Cumberland load him with obloquy, and that he must therefore be allowed some means of justifying himself. He strongly disapproves the intended expedition agt St. Lucie, wch will he thinks succeed, but end in the destruction of the Troops."

"12th July, 1778.

"I rather wish than expect that the French wd venture a genl action wh Keppel.

"I have read the narrative of what passed between Sir J. Wright and Dr. Addington, and am fully convinced of wt I suspected before, that the old Earls like old Coachmen still loved the smack of the whip, and Sir J. Wright, to appear a man of consequence, has gone beyond his Instructions. Certainly it wd have been wiser if no message had been sent."

* His seat in Parl[t] on being appointed Solicitor General.

† James Wallace was brought up in the office of Thomas Simpson, an attorney of Penrith in Cumberland, whose daughter he married, and through her obtained the estate of Carleton Hall in that county, which had been purchased by his wife's maternal grandfather, John Pattinson, attorney of Penrith, in the year 1707, from the last of the family of Carleton. Mr. Wallace, after he married Miss Simpson, was called to the bar, and became first Solicitor, and afterwards Attorney General. He left an only son, who was created Lord Wallace, and died without issue.

‡ Sic. Secretary Knox.

"14 July, 1778.

"The intelligence from Bancroft may not be false, but it is certainly exaggerated, for to intimidate has ever been one of his chief aims."

"18 July, 1778.

"The affair of the Belle Poule ought to be added to the Manifesto, we can be no longer called the Agressors, but have shewn perhaps too much Temper."

"25th July, 1778.

"As Ld Bathurst w^d^ have taken the Privy Seal he ought to be content w^h^ a Pension equal to the Sal^y^ of that Place. I trust Adm. Kep. will get between the French Fleet and the Coast, but we cannot hear of an action before Monday."

"12 August, 1778.

"The present acc^ts^ from America put an end to all negociation. We must steadily pursue the Plan adopted in the Spring. The providing Canada, Nova Scotia, and ye Floridas with troops, and sh^d^ that not leave enough for New York, then abandon that place and content ourselves w^h^ distressing the rebels till the end of the French War, wh. if successful may give us better hopes."

"14 Augt 1778.

"I shall not fix *in my mind* of a successor to the D. of Auc., tho' so near my Person, till I have consulted you."

"23 Aug. 1778.

"The personal character of ye D. of Chan.* makes him worthy of the Post."

"5 Oct. 1778.

"Attack on Goree, much approved, to be kept very secret. Diff^y^ to get soldiers out of our very small means."

"13 Oct. 1778.

"Spain will join France next Spring. But I trust the

* Chandos.

British navy will then be in a state to cope w^h both nations. Armed as France and Spain now are, no Peace c^d be durable or much less expensive than War—it must now be decided w^r France or Britain must yield. You may depend on my readiness to *cheathe the sword, whenever a permanent tranquillity can be obtained."

"23 Oct.

"Ld Stormont cannot have a Competitor for the office vacated by the death of D. of Queensbury.

"Though the D. of Northumb^d's health and age give no reason to expect much attendance as Master of the Horse, yet I am so desirous to nominate a man personally agreeable to you that I make no scruple in consenting to appoint him."

"25 Oct. 1778.

"The very Sluggish attendance after Easter last Session has filled my mind w^h the necessity of some Plan to effect an early and constant attendance next Session. You will form some plan for this object, in wh. you may depend on my warmest support, and that my disapprobation shall be shewn in the fullest manner to those who swerve from their duty, when a systematical plan is formed. I trust in a week you may be able to lay such a plan before me."

"2^d Novr 1778.

"This week has elapsed without your pushing the Plan, and your aversion to decide w^d lead you to postpone it till too late, unless forced by me to what I look upon as essential to your own ease as well as to the public affairs.

"I therefore insist on your laying your thoughts on that subject before the Cabinet on Thursday."

"10 Nov^r

"On coming home I found Ld North's box containing Sent^s of affection to my Person, tho' in other respects not very agreeable to my wishes. You cannot be surprised that surrounded w^h difficulties and an oppos^n to gov^t formed of men that, if they c^d succeed, w^d restrain no one of the

* Sic.

absurdities they have sported. I think it is the duty, nay, personal honour of those in public Stations, must prompt them to make ev^y effort to assist me, who have unreservedly supported them."

"12 Nov^r.

"The letter from Ireland requires the maturest consideration. Experience has convinced me that this Country gains nothing by granting indulgences to her Dependencies; for opening the door encourages a desire for more, which, if not complied with, causes discontent, and the former benefit is obliterated."

"14 Novr 1778.

"The report that the gent^n who attended the meeting in Downing Street last night, will cordially support next Session, is what I expected. If the ministers in their speeches show that they never will consent to the Independence of America, and that the Assistance of every man will be accepted on that ground, I am certain the cry will be strong in their favour. I sh^d have concluded here, had not the letter contained the following expression that Lord* —— is conscious and certain that he neither has the authority nor the abilities *requisite for the conduct of affairs at this time.*

"The word '*authority*' puzzles me, for from the hour of Ld North's so handsomely devoting himself on the retreat of the late D. of Grafton, I have never had a political thought wh. I have not communicated unto him; have accepted of Persons highly disagreeable to me; because he thought they would be of advantage to his conducting public affairs, and have yielded to measures my own opinion did not quite approve, therefore I must desire to have an explanation in writing on what is meant by that word, as also that a change might be made to the benefit of my Service, w^t having recourse to the Opposition. It is quite a new thought, and at present quite incomprehensible to me. † If Lord * can see with the same degree of enthusiasm I do, the beauty, excellence, and perfection of the

* Sic. "North." † Sic. "North."

British Constitution as by Law established, and consider that if any one branch of the Empire is allowed to cast off its dependency, the others will infallibly follow the example, he will not allow despondency to find a place in his breast, but resolve not merely out of duty to fill his Post, but w^h^ vigour to meet ev^y^ obstacle that may arise, he shall meet w^h^ most cordial support from me. But the times require vigour or the State will be ruined."

"24 Nov. 1778.

"I authorize you to offer the place of Sec^y^ at War, in the first place to Mr. Jenkinson, and, if he declines, to Ld Beauchamp."

"26 Novr 1778.

"I trust Mr. Forthe* no more than the Newspapers; but I read them w^h^ some curiosity, as I do those daily productions of untruth."

"27 Nov^r^.

"Handsome Majority."†

"4 Dec. 1778.

"Long Debate expected this day." ‡

"12 Dec. 1778.

"I am sorry to find the strangely managed dispute between the two Admirals is to be discussed in the H. of C. But it may forward what I think w^d^ be an advantage, bringing Ld Howe to the head of the Board of Admiralty, for Administration will somehow or other be too much sneered || in that affair, unless a change is made in that department."

* Sic. Probably Mr. Forthe's "letters."

† On the address. The majority was 226 to 107 on Mr. Townshend's amendment "To enquire by what fatal counsels or unhappy systems of policy the country had been reduced to so dangerous a state."

‡ Upon Mr. Coke's motion on the Manifesto of the American Commissioners. It was rejected by 209 to 123.

|| Sic.

"15 Decr 1778.

"* It is irksome to find you were detained so late at the H. of C. not on ye business of the day, but on supporting or abandoning the American War."

'21 Decr 1778.

"Just heard of the pocket book bro^t^ up by L^d^† . I suppose it will turn out rather a scheme to alarm than a real design of assassination."

"24 Dec. 1778.

"The Papers concerning the supposed assassination Plot show that either or both the Persons who came on Friday unto Lord† must have framed the scheme to get money."

"28 Dec. 1778.

"Ld Suffolk is fixed to resign. Nothing c^d^ more effectually remove the hatred and faction occasioned by the unhappy breach between the two Admirals as a new head of that department, particularly if of that Profession.

"In time of Peace I am not convinced that a man of general education may not fill that Station as well, but in a naval War like the present it is highly advantageous to have in the Cabinet a person able to plan the most effectual manner of conducting it. If you be of that opinion, and think Lord Howe the best qualified, it will prevent all altercation, w^ch^, if he is not during the recess satisfied, will take up the time of Parl^t^ from business more useful."

"1st Jany 1779.

"I have rec^d^ your letter, wch is wrote in so open and friendly a Stile, that it has given me infinite pleasure, wch arises from the real affect^n^ I have for you. The D. of Bolton del^d^ to me a most extraordinary Paper, signed by Ld Hawke and other Admirals. I said I c^d^ not fail duly to consider a Paper signed by them. It shews great wrath at Sir H. Pall.‡ and the Admiralty."

* Debate in the Commons on the 14th on the Army Estimates, in which the whole question of the American war was discussed.

† Sic.

‡ Sir Hugh Palliser.

"29 Jany 1779.

"I perceive, as I expected, that opposition, when they talk of Coalition, mean to dictate. I thank God, whatever difficulties may surround me, I am not made of materials to stoop to that. You cannot too soon see Lord Howe, who I trust will be reasonable. Might it not be right to hold out to him the propriety of appointing Palliser to the command of the Fleet in N. America, and opening his seat at the Admiralty? The idea of offering the Cinque Ports to Ld G. Germ. grieves me, as I feel a pleasure in having spontaneously conferred that office on Ld North."

"1st Feby 1779.

"I rejoice that you will do what I think best. I do not wish any change at the Treasury. That I may not appear *too* obstinate, I do not object, if Ld North thinks the language held by the D. of Grafton to Mr. Chamier worthy of consideration, to empower Ld Weym^{h} to see what can be engrafted on it."

"4 Feby 1779.

"When Ld Weym^{h} met the D. of G. last night, he found no reason to ground any hopes that any coalition c^{d} be effected. My conduct will shew that I never am deaf to any apparent proposal of General Union, though no circumstances shall ever compel me to be dictated to by Opposition. You may now sound Ld Howe, but before I name him to preside at the Admiralty Board, I must expect an explicit declaration that he will Zealously concur in prosecuting the War *in all ye Quarters of ye Globe.*"

"9 Feby 1779.

"I expected that Ld Howe w^{d} decline, as he did last night. We must either find a successor to Ld Suff.*, or if the faction in ye Fleet be too strong for Ld Sandw^{h}, to promote him to the Northern Seals."

"11 Feby 1779.

"It does not require great penetration to discover that Ld Carlisle is either pressed to the step by his relations, or

* Lord Suffolk.

by Mr. Eden in hopes it may drive you to give up Ld G. Germ^n^."

"12 Feby 1779.

"Your eyes will now be opened to Mr. Eden's character. We ought to send for some of his friends in the H. of C., that they may be apprised of this strange Phenomenon. Ld Weym^h^ must* Ld Carlisle."

"12 Feby 1779.

"I have just heard of the violent attack in the night on your house, w^h^ providentially proved abortive by the activity of the military."

"12 Feby ½ p. 9 P.M.

"I am sorry you take so much to heart the division of this day.† I am convinced that this country will never regain a proper tone, unless Ministers, as in the time of K. William, will not mind being now and then in a minority. If it comes to the worst, the Bill will be thrown out in the Lords: the day of Trial is not the honourable one to desert me. Keep the merit of having stepped forth when I was in distress, by staying till the Scene becomes serene."

"13 Feby 1779.

"A Govr or Lieut^t^ Govr you may arrange for Sir W. Howe. After considering the intended memorial of the naval officers ag^t^ Sir H. Pall. I see that he must be removed. No one but Ld Sand^h^ is of a diff^t^ opinion."

"14 Feby 1779.

"The Cabinet think it unjust to send Sir H. P. to his Trial with the prejudice wch a removal from his military employ^t^ w^d^ create. I shall not insist. The Att^y^ Genl's letter seems to show a desire of objecting to whatever is proposed. So very incorrect a dealer in news as Ld Denbigh."

* Sic.

† Debate on the Contractors' Bill. The majority was 158 to 143 against the Government. The Bill was afterwards, on the 11th of March, thrown out by 165 to 124.

"17 Feby 1779.

"I cannot think my proposal to remove Sir H. P. was so improper, when Ld Sand^{h} himself is now forced to come to a mean subterfuge to attain the same end."

"19 Feby 1779.

"Perhaps there never was a more general run than ag^{t} poor Sir H. Pall. Not only factious, but moderate men are shocked, and with reason, w^{h} his bringing a capital charge, and yet not having proved the smallest appearance of ground for so grievous a charge."

"22^{d} Feby 1779.

"I do not see any reason to create a nominal office of Deputy Ranger of Greenwich for a Pension to be given with more *éclat* to Mr. Eden. The Pension in Trustees for the life of Mrs. Eden is the properest mode.

"If Dr. Priestly applies to my Librarian, he will have permission to see the Library, as other men of Science have had. But I can't think his character as a Politician or Divine, deserves my appearing at all in it. I am sorry Mr. Eden has any intimacy with that Doctor, as I am not overfond of those who frequent any Disciples or Companions of the Jesuits of Berkeley Square."*

"28 Feby 1779.

"I am ready to take any ostensible step to show my displeasure at those who do not attend in the H. of C."

"1st March, 1779.

"More negotiations with Ld Howe. Ld H. demans conditions that it w^{d} be disgraceful to grant.

"The Person going between Mr. Eden and the Keppels is so exactly described by his letter, that it can only be that busy body Col. Smith. It is plain that the admiral suspects my being a party to the treatment he complains of. The pretending that the Paper is aimed only at the Admiralty is false; for it mentions a change of Ministers in express terms, and by name complains of Ld N."

* This refers to Lord Lansdowne's noble patronage of Dr. Priestly.

"4 March, 1779.

"I am full of indignation at the number of Persons who so shamefully avoided attending yesterday,* wch made the majority so much less than it ought to have been. The opposition seem to have had the numbers I have often heard you say they w^d muster, viz., 170."

"5 March, 1779.

"I hope Sir Ralph Payne has been strongly spoke to, and Messrs. Doyley and Strachey. The like may not be thrown away on C. Herbert, who is well inclined, and if pressed will go diff^t from his Family. Ld Amh^t† has wrote to M. G. Morris, Lt. Col. Laurie, and Captn Egerton, and will get the D. of Chand. to write for Sir H. Paulett. I am strongly of opinion that the Genl Off^rs who through Par^t have got Gov^ts should, on opposing, lose them. This is very diff^t from removing them from their military commission. In short, you will find me resolved to take ev^y strong measure to keep out a dangerous faction."

"9 March, 1779.

"Handsome maj^y.‡ I wish a List of the Defaulters. Lt Howe may now be ranked in opposition. Does not the part taken by Sir James Lowther shew he is not so adverse as formerly? He is himself scarce worth gaining, but his followers w^d swell our List. If Johnston§ is bro^t round, w^d he not be serviceable in this?"

"13 March, 1779.

"I was much surprised at finding the Pension for Mrs. Eden amount to so large a sum. I did not mean to make Mr. E. independent by giving £1600 between him and Mrs. E. for life."

* On Mr. Fox's motion of censure on the admiralty for sending Keppel out with so small a force. It was lost by 204 to 170.

† Lord Amherst.

‡ On Mr. Fox's motion on the state of the Navy. The majority was 246 to 174. Lord Howe spoke against the Government. Sir James Lowther said a few words, and voted with Ministers for the previous question.

§ Mr. Johnston was one of Sir J. Lowther's members.

"22d March, 1779.

"The Division of last night* was so considerable, that I should hope if care is taken to keep People in town, that Trials of Strength will cease. Though Debates will be carried on after the recess: though if the Minority find they do not gain ground they will soon be tired of vain talking.

"By an intercepted letter from Bancroft to Mr. Walpole, it appears† is not going to E. Indies."

"30 March, 1779.

"‡Much pleasure at the rejection of Mr. Burke's Amendt. Opposition can now gain no question but by outslaying the Majority. I now begin to credit the supposition that the Court of Spain will take no part in the War."

"6 April, 1779.

Ld Hillsbh § will be a very attentive Secretary of State, and his American sentiments make him acceptable to me. But we must not offend Ld Gower or Ld Carlisle. We must find some Office for the latter."

"21st April, 1779.

"Both much displeased at the ill humour of the Attv Genl. You are much above any little intrigue, which certainly is very prevalent in the composition of ye Attorney General, and still more in that of his pupil, Mr. Eden. I recommend to you place your chief political confidence in the Chancr, who is a firm and fair man, always ready to give his opinion when called upon, yet not ambitious of going out of his own particular line, therefore will not attempt the part of a Mentor, wh the two or Genn have too much aimed at. Evv quarrel with him must be healed by a Job. Let the Ld Advocate be gained to attend the whole Session and brave the Parlt, but not for filling Employments."

* Debate on Mr. Fox's motion of censure on the Government for not sending out reinforcements to Lord Howe. It was lost by 209 to 135.

† Illegible.

‡ The Division was upon the Report on the Army Extraordinaries, on the 29th. The numbers were 142 to 78.

§ Lord Hillsborough.

"30 April.

"I supposed that, when once the American Enq^y was bro^t into the H. of C., Ld G. Ger. w^d have thought it necessary for his character to have it thor^y canvassed."

"4th May, 1779.

"I can easily conceive that there are particular circumstances in a popular assembly which oblige a man of penetration not to continue opposing what he might in the beginning of a debate judge best rejected. So I applaud the bold but well judged step of the brave Arbuthnot in going with his convoy to the relief of Jersey. Had others conducted themselves w^h the same zeal, the American contest had long ended with credit to the Mother Country."

"10 May, 1779.

"I am sorry to find from you that ye Exam^n on Sr W. Howe takes a turn so contrary to your Wishes."

"12 May, 1779.

"I have carefully read the two letters from Mr. Francis. The Company is ruined and Parliament ridiculed, unless Hastings is instantly removed from his situation."

"11 June, 1779.

"The * object of Sir W. Mered^h's address is pretended to be the desire of Peace w^h America—that of Mr. Eden is to be employed as a private negociator w^h Franklin to effect a Peace.—No man in my Dominions desires Solid Peace more than I do. But no inclination to get out of the present difficulties, which certainly keep my mind very far from a state of ease, can incline me to enter into the destruction of ye Empire. Ld North frequently says that the advantages to be gained by this contest never could repay the expense. I own that any War, be it ever so successful, if a Person will sit down and weigh the expense, they will find, as in the last, that it has impoverished the State enriched; but this is only weighing such Points in the Scale

* On Sir William Meredith's motion respecting peace with America. It was negatived without a division.

NOTE.—Sir James Mackintosh observes, that the letter of the 11th of June is not the composition of George III.

of a Tradesman behind his counter. It is necy for those whom Providence has placed in my Station to weigh wh expenses, though very great, are not sometimes necy to prevent wh wd be more ruinous than any loss of money. The present Contests wh America I cannot help seeing as the most serious in wh any country was ever engaged. It contains such a Train of Consequences that they must be examined to feel its real weight. Whether the laying a Tax was deserving all the Evils that have arisen from it I shd suppose no man could allege without being thot fitter for Bedlam than a seat in the Senate, but step by step the demands of America have risen. Independence is their object, which evy man not willing to sacrifice evy object to a momentary and inglorious Peace must concur wh me in thinking this Country can never submit to. Shd America succeed in that, the W. Indies must follow not in independence, but for their own interest they must become dependent on America. Irld wd soon follow; and this Island, reduced to itself, wd be a poor Island indeed."

"12 June, 1779.

"Sir W. Ms Question rejected wt a division. America from distress begins to feel, and Gentlemen who pretend to be Englishmen are bringing forward Questions only to raise the drooping Spirit of America."

"15 June, 1779.

"I accept Ld Ns proposals, except Ld Onslow to succeed Ld Pembroke, a Peerage for Ld G. Germ. My objection to the first is my promise to Ld Boston. It wd be an endless repetition to state my objections to decorating Ld G. Germ. wh a Peerage. HE HAS NOT BEEN OF USE IN HIS DEPARTMENT, and nothing but the most meritorious services could have wiped off his former misfortunes. As to Lord North's wish of retiring, it wd be highly unbecoming at this hour. On Thursdy Ld Hillsbh will receive the Seals."

"16 June, 1778.

"Lord North's application to resign within two days of the Prorogation I can see in no other light than as a continuation of his resolution to retire whenever my affairs will

permit it. For I never can think that he who so handsomely stood forward on ye desertion of ye D. of Grafton w^d^ lose all that merit by foll^s^ so undignified an example."

"June 20th 1779.

"*The very wicked Protest is proof suff^t^ that, whilst Parliament sits, new matter to cause general dissatisfaction is the object of Opposition."

"22 June, 1779.

"The Papers from America shew that, had not Spain thrown off the mask, we should soon have seen the Colonies sue for Pardon from the Mother Country. I do not yet despair that, with Clinton's activity and the Indians in their rear, the Provinces will soon now submit.

"It is no compliment when I say that Ld Gower w^d^ be a poor substitute for Ld N.† I cannot approve of such a measure. What I s^d^ yesterday was the dictate of frequent and severe selfexamination. I never can depart from it. Before I hear of any man's readiness to come into Office, I will expect to see it signed under his hand, that He is resolved to keep the Empire entire; and that no troops shall consequently be withdrawn from thence, nor Independence ever allowed."

"27 June, 1779.

"‡ Mr. Harris's letter shews that nothing can be gained from Russia, and it confirms me in the impropriety of having sent Mr. Eden to Copenhagen. Col. Luttrell's opinion of the self established Corps in Ireland is not much to their advantage."

* In the Debate on the King's message respecting the Spanish Manifesto, when there was a division in the House of Lords of 57 to 32. A Protest was signed by the Dukes of Richmond, Manchester, Devonshire, Portland, Lords Rockingham, Fitzwilliam, &c., against the whole conduct of the American War, and against Proroguing Parliament at the present moment.

† Lord North.

‡ See Despatch from Sir James Harris to Lord Weymouth, dated 4th June, 1779, and his private letter to Lord Weymouth of the same date. 'Diaries and Correspondence of James Harris, first Earl of Malmesbury,' vol. i., pp. 232 and 237.

"27 June, 1779.

"Rodney's idea that the Spanish Fleet c^d not reach Cape Finisterre under a voyage of 5 weeks is very comfortable, and will enable Sr C. Hardy, having by that time 38 Ships of the Line, to give a good account of the Enemy, sh^d they amount to fifty."

"2nd July, 1779.

"I am confident my language was the only one fit to be held to the Attorney. The shewing him that if he continues to support in his present Office he will meet with my Countenance in his Profession as Events naturally arise. In short, I shewed him by inference, not words, it was more his interest to be faithful than to take any o^r line of conduct w^h w^d destroy him with me and make him not rise in the opinion of any party. His quickness seemed without saying anything to feel the weight of all I meant to convey."

"18 July, 1779.

"The conduct of the Ld Lieu^t of Ireland is incomprehensible. Lord North's answer is perfectly right."

"20th July, 1779.

"I cannot credit the opinion that the whole Spanish Fleet will join M. D'Anvilliers. If it did, I should not be apprehensive. I trust in Divine Providence, the Justice of our Cause, and the Bravery and activity of my Navy. I wish Ld North c^d view it in ye same light for the ease of his own mind."

"July 24, 1779.

"I may appear strange, but I undoubtedly wish for the action, and feel a confidence in ye success that never attended any other event."

"July 31st 1779.

"The *B^p of Derry's accounts are highly exaggerated, and his means of preventing the mischief so very dangerous, that no man in his senses could suggest it. I rec^d yesterday an interception written by Creutz to the K. of

* Lord Bristol. He died at Rome in 1803.

Sweden, dated Paris, July 15:—'Il n'y a aucune nouvelle 'des deux Flottes. En attendant, tout est pret pour la 'Descente. Il n'y a plus d'Artillerie, de munitions, et de 'vivres qu'il n'en faut pour une plus grande expedition. Si 'la descente en Angleterre devient impracticable, on en fera 'surement en Irelande, et on s'emparera de Cork, d'on l'Ar-'mée Anglaise en Amérique, tire tous ses vivres. L'Armée 'Française pourra y hiverner en sureté, le peuple étant 'riche en vivres, et les habitants, dont la plus grande partie 'est Catholique, très affectionnés à la France.

"'Le Manifesto de la France prouve combien elle met de 'l'Equité dans sa pretensions. Si l'Espagne nessuye des 'echecs elle ne sera pas si facile à contenter. Elle veut au 'moins Gibralter, et si elle a des succès marquès elle voudra 'avoir aussi Mahon. Si l'Angleterre n'est pas écrasée, elle 'ne peut souscrire à de telles conditions.'"

"5 August, 1779.

"Ld G. Germ. has laid before the Cabinet the acc^t^ of the D. of Rich^d's^ conduct, and Ld Amherst has produced the letters on driving the Country in case of Invasion. In my opinion it will be highly dangerous to continue the D. of Richd Ld Lieu^t^ of Sussex. Ld Pelham's name c^d^ not fail of pleasing the old Friends of the late Duke of Newcastle, and Mr. Pelham is a very promising young man. Some may talk of prudential measures; but it is not safe to let the D. of R. be in an executive Office, with his disposition to clog the wheels of Gov^t^, and, if he has an opportunity, to encourage insurrection."

"25 August, 1779.

"Bancroft's news calculated to intimidate."

"1st Sep^t^ 1779.

"By Ld Pelham's letter to Ld Amhs^t^ it appears that the D. of R. at the County meeting declared his disapprobation of the Proclamation for driving the Country in case of Invasion, and his resolution not to act upon it."

"11 Sept. 1779.

"Sent Ld Sandwith to Portsm^h^ with authority to inform

Sir C. Hardy, who had put in there for refreshments, that 'I expected the Enemy is not to be permitted to quit the Channel, without feeling that chastisement w^h so infamous a Conduct deserves.'"

"27 Sept. 1779.

"I persist in refusing a Peerage to Ld G. Germaine, his L^dship may be told that ye reestablish^t of a first L^d of Trade* is no degradation of the Colonial Department. It places Ld Carlisle in an executive department, not one of direction of measures, which it might not have been right to place the signer of the Proclamation of last year as far as regards America.

"So send for Ld Storm^t imm^y—to remove Lord Littleton, whose private character makes him no credit to my service, and to place Ld C. Spencer in his Office, w^h will please the D. of M., whose uniform conduct to me ever since I knew him deserves every consideration."

"11 Octr 1779.

"Had I not better open the affair of Ld Gower to Ld Weymouth, and offer the Presidency of the Council? Harris's last letters† give a chance of some good from Russia, but it must be foll^d up from hence. Such an Event w^d give great credit to Administration."

"16 Octr 1779.

"The late Mr. Grenville, whenever a contest was expected, used to follow the mode proposed by Lord North, namely, to prepare the Warrant for my Signature instead of that of the Treasury. If the Duke of Northumberland

* Immediately before the meeting of Parliament, in November, 1779, Lord Gower resigned as Lord President, and was succeeded by Lord Bathurst. Lord Weymouth resigned as Secretary of State, and was succeeded by Lord Hillsborough. Lord Stormont came home from being Ambassador at Paris, and succeeded Lord Weymouth, who had acted as Secretary of State since Lord Suffolk's death. The old place of First Lord of Trade, which had been included in the new office of Secretary for the Colonies, was now separated from it, and given to Lord Carlisle.

† See two Despatches from Sir James Harris to Lord Weymouth, both dated 20 September, 1779. 'Diaries and Correspondence of Lord Malmesbury,' vol. i., pp. 245 and 260.

requires some Gold Pills for the Election, it would be wrong not to satisfy him."

"20 Novr 1779.

"I never doubted that an Enquiry into the State of Plym^{h}, when the French appeared before that Place, w^{d} be bro^{t} before Parliament. It relates to Ld Amh^{t} and the Ordnance. If they can defend themselves, I do not see any Evil can arise. If they have not done their duty, it is right it should be known."

"24 Novr 1779.

"Lord North must remember that he has s^{d} 'The Die is cast;' so no untoward conduct of ye Att^{y} Genl is to prevent Ld N. going on. On a rumour in the City to-day that Ministers w^{d} be changed, the Merchants were strong on the folly of Ministry in retiring; and though they blamed the conduct of affairs in some things, yet thought so much worse of opposition."

"30 Novr 1779.

"In answer to a Long letter from Lord North, 'I can 'state my Sentiments in three words:—I wish Lord N. to 'continue; but if he is resolved to retire, he must under-'stand that step, though thought necessary by him, is very 'unpleasant to me.'"

"Decr 1, 1779.

"The Irish letters shew there is an end of all Gov^{t} in that Country. The L^{d} L^{t} seems to feel himself that a Successor is the most natural consequence."

"7th Decr 1779.

"I am pleased w^{h} the Division,* though highly incensed at the personal conduct of Mr. Macdonald,† whose disap-

* Debate on the state of Ireland on the 6th of December, on Lord Ossory's motion of Censure on the Government, for their conduct towards Ireland. It was negatived by 192 to 100.

† Mr. Macdonald declined voting for the motion because he thought there was no evidence, but he highly disapproved of the conduct of Government, and made a most severe personal attack on Lord North, accusing him of being "indolent and incapable—evasive and shuffling—artful—mean—inso-

pointment at the India House, added to the conduct of his Fa^r in Law,* is no excuse for his Behaviour."

THE KING TO LORD THURLOW.

"11 Decr 1779.

"Disappointed at the conduct of those w^h whom Ld T. negociated, T. demands power to be more explicit.—'In 'order to make the Person with whom you last conversed '(if possible) more open and explicit, I consent that you 'sh^d acquaint him that Lord North's situation will not 'stand in the way of any arrangement, and that he does 'not desire to be a part of any new administration. This 'ought to convince that Person that I really mean a Coali-'tion of Parties, and not to draw him in to support the 'present Ministry.'"

PROPOSAL.

(*On this note is an endorsement as follows, by Lord North, in Dec.*, 1782, *when thinking of the Coalition.*)

"H. M., ever desirous of promoting the welfare and happiness of his Dominions, thinks it behoves every one actuated by any attachment to his Country to cast aside all private pique and animosity, and cordially unite in the service of the State. He is, therefore, willing to blot from his remembrance any events that may have displeased him, and to admit into his confidence and service any men of public Spirit and Talents who will join with part of His present Ministry in forming one on a more enlarged scale,

lent and cowardly—a poor, pitiful, sneaking, snivelling, abject creature—fraught with deceit, and one whom no man of honour could trust as a Minister or an Individual." Lord North defended himself with the greatest success. As to the charge of snivelling, he said, "he hoped that his betraying a weakness was no crime—that it had related to a family misfortune—and that he never expected to hear his feelings objected to as a sign of incapacity." This referred to what had passed at the end of the last Session, when he had been much affected in the course of his speech upon the Militia Bill, after an attack made upon him in reference to some of his children, *one of whom lay dead at the time.* Two days after, viz., on the 8th December, Mr. Macdonald apologized to Lord North and to the House.

* Mr. Macdonald's father-in-law was Lord Gower.

provided it be understood that *every means are to be employed to keep the Empire entire*, to prosecute the present just and unprovoked war in all its branches with the utmost vigour, and that H. M.'s past measures be treated with proper respect."

THE KING TO LORD THURLOW.

"18 Decr 1779.

"When I found you, Ld Gower, Ld Weymouth, and Ld North thought it right to endeavour to form a Coalition of Parties, I yielded to such respectable opinions, I put into your hand the above paper ab^{t} a fortnight before the Session of Parliament. You would not commence in such a negociation till Ld North declared that he c^{d} not go on. He having on the 1st recommended a Coalition, and declared that he did not desire to retain his office, or to make a part of any new ministry, I on the 3rd authorized you to proceed. A few days after you informed me that, having consulted Lord Cambden, He declined the task of sounding the inclinations and opinions of his Friends either on the Principles on which they were disposed to carry on public measures, or as to a Coalition with any part of the present Ministry. You then addressed yourself to Ld Shelburne, who w^{d} not open himself farther than that he thought that the more connexion could be preserved with America the better, but he did not say what the nature of that connexion should be. He added that he did not pretend to be a Director of Opposition, and c^{d} not tell whether a Coalition of Parties w^{d} answer the ideas of Opposition, and that it w^{d} be gracious in the King to declare what opening I would make. Cold and distant as I had reason to think this mode of proceeding, I authorized you on the 11th to say that Ld North's situation w^{d} not stand in ye way, and desired you to call on them for a declaration of their Principles, and of the changes w^{h} they desired. To this on Thursday I was able to obtain no other answer, than that a Coalition seemed not to answer their views. From the cold disdain with wch I am treated, it is evident to me what treatment I am to expect from Opposition, if I was to call them now into my service. To obtain their support, I

must deliver up my Person, my Principles, and my Dominions into their hands."

FROM LORD THURLOW.

"Decr 26th 1779.

"*The commands were sufficiently difficult and delicate. I find that I have had the misfortune to mislead your M. into a false impression of some considerable men. The doubts whr there existed in the Ministry strength enough to carry on the public business I entertained in common wh Ld Gower and Ld Weymouth, but Knowing nothing of Ld North's opinions. Ld North had mistaken my ideas of the strength of the Ministry, and, supposing that they turned chiefly on the concurrence of numbers in Parliament, had undertaken to reconsider his prospect in that particular. I explained to you that the strength of a Ministry in my notion consisted, besides the credit and esteem of Parliament, in their influence upon other parts of the Empire and other great bodies within the Kingdom, their authority over Fleets and Armies and other branches of the Executive Power. On the 22nd of Novr I was informed by Ld N. of the intention to appoint Ld Bath. Prest of yr Council and Ld Hillsborough a Secy of State.

"When I recd the Paper, I mentioned that it was somewhat indefinite—that it only offered the Treasury—and that it wd be better to suggest such a Proposal as from myself than from higher authority. I conversed wh Ld Cambden, Ld Shelb.,† and others, but still as a private man, disclaiming all authority to make proposals. They declined to enter into that sort of conversation wh me on that footing, but they never imagined that they were returning an answer to your M.‡

"From what has passed, it must appear that no proposal has yet been made to any part of Opposition, nor consequently any answer returned by them."

"10 Febv 1780.

"Lord Pembroke came yesterday and resigned his Court

* This letter appears to be from Lord Thurlow to the King.
† Lord Shelburne. ‡ Majesty.

Employment, giving no other reason than that he could not support measures while one man not in the H. of L. was in the Cabinet, and explained this to relate to Ld G. Germ. I cannot chuse the Lieut^y^ of Wiltshire sh^d^ be in the hands of Opposition. Offer it to Ld Ayles^by^; the D. of Marl^h^ sh^d^ be told that regard for him made me not remove his Bro^r^ in Law, but that hav^e^ chosen to resign I c^d^ not think it right to leave y^r^ Lieut^cy^ in his hands. Lord Storm^t^ bro^t^ me a letter from the D. of Chandos, resigning the Lieut^cy^ of Hampshire, alleging that the favours of the County were put into other hands, wh. I am told means his not having got the gov^t^ of the I. of Wight. I have since heard that he is ruined, and means to retire to Florence. If this be *True* he will not be prevailed on to keep the Lieut^cy^. Lord Rivers has occurred to me."

"22nd February, 1780.

"Ld North cannot be surprised at my having read w^h^ some astonishment that the maj^y^ was so small this morning, * on a Question w^h^ was to circumscribe the Power of the Crown to bestow its benevolence to Persons in narrow circumstances. Had the Speaker been able to continue last Tuesday, there was every reason to expect a very great majority. I must remind Ld N. of a similar Event w^h^ occurred when Mr. Grenville was at the head of the Treasury—the Question on General Warrants—when he wrote me word of the Division, marks of being dispirited were obvious, I instantly answered that if he w^d^ but hide his feelings and speak w^h^ firmness, the first occasion that offered he w^d^ find his numbers return. He foll^d^ my advice, and the Event exceeded my most sanguine expectations."

"26 Feby 1780.

"Unfortunate state of Irel^d^.—The misfortune is, that I see no man but Ld Townshend willing to go at this time."

"29 Feby 1780.

"I learn w^h^ great pleasure the rejection of so new an

* Adjourned Debate on Lord George Savile's motion on the 21st for an account of Pensions. Lord North moved an amendment, which was carried by 188 to 186. The debate had been adjourned in consequence of the illness of the Speaker, Sir Fletcher Norton.

Idea as the self-vacating of seats in Parl^{t}, which shews that noveltys are not agreeable to the House."

"3 March, 1780.

"*I am greatly pleased, after so many Arts employed to intimidate Members of Parl^{t}, that the postponing the Comm^{ee} on Mr. Burke's Bill was carried by a Majority of 35. I do not doubt that the number will greatly increase."

"7th March, 1780.

"Violence and illiberality of Opposition. Ld Sandw$^{h's}$ true reason for wishing not to give the Lt G. of Marines to Rodney, is that by Sir C. Hardy taking it he might vacate Greenwich for Palliser, w^{h} w^{d} I think make a great noise and be very wrong."

"7th March, 1780.

"Approves Budget. In answer pretty evidently to a hint about American independence. 'I can never suppose this Country so far lost to all ideas of self-importance as to be willing to grant Amer. independence. If that c^{d} be ever universally adopted, I shall dispair of this Country being preserved from a state of Inferiority. I hope never to live to see that day, for however I am treated I must love *this Country*.'"

"9th March, 1780.

"It was easy to see that if the Question were put alone on ye abolishing of the third Secretary of State, the disinclination that has in general existed ag^{t} that arrange^{t} and no small prejudice against the present possessor, w^{d} make it very difficult to reject it. Conseq^{y} the Division does not surprize me."†

* Debate on Mr. Burke's Establishment Bill. The division was on the question whether the Bill should be committed the day after, or some days after, and was carried in favour of Government by 230 to 195.

† The division in Committee on the first part of Mr. Burke's Bill, for abolishing the Secretary of State for the Colonies, was carried by 208 to 201. There had been a majority before, of 205 to 199, upon the Order of the day for going into Committee on the Bill. The Government members, all but Mr. Rigby, voted for going into Committee.

"14 March, 1780.

"I am sorry men sh[d] so far lose their reason and let the violence of the Times or their Fears actuate them so much as to forget the real utility of the Board of Trade, but I trust, on y[e] subseq[t] Questions on Mr. Burke's Bill, the numbers will again preponderate on y[e] side of Gov[t]. Y[r] opinion on Sunday made me expect that Opposition w[d] carry this Question."*

"21 March, 1780.

"†Glad to find that the Comm[ee] on Mr. Burke's *Extraordinary* Bill has rejected some of the Clauses w[h] so good a majority."

"7th April, 1780.

"Lord N.'s whole conduct, from the Hour he accepted the Post he now fills, is a surety to me that he will not expect an immediate answer on so very material an event as the one he alludes to. ‡The Resolutions can by no means be looked on as personal to Him. I WISH I DID NOT FEEL AT WHOM THEY WERE PERSONALLY LEVELLED."

"11th April, 1780.

"It is clear that had the Five Members arrived in time last night,§ the strange Resolution of the Comm[ee] w[d] have been rejected, and cons[y] L[d] North must see things begin to wear a better aspect. A little time will open the eyes of several who have been led farther than they intended. It cannot be the wish of the Majority to overturn the Constitution.

* On the 13th of March the abolition of the Secretary of the Board of Trade was carried by 207 to 199.

† The clause for abolishing the office of Treasurer of the Chamber was lost by 211 to 158. On the 28th, the clauses proposing to abolish the offices of Great Wardrobe and Board of Works were also lost. The former by 210 to 162. The latter by 203 to 118.

‡ Dunning's famous Resolution on the 6th of April, that the influence of the Crown had increased, was increasing, and ought to be diminished. It was carried by 233 to 215.

§ On the 10th of April, when Dunning's motion for securing the independence of Parliament was carried by 215 to 218. The Resolution was, "That it is incompatible with the independence of Parliament that persons holding certain offices (Treasurer of the Chamber, Treasurer of the Household, and other offices at Court) should sit in Parliament."

"Faxtious Leaders and ruined Men wish it, but not the bulk of the People; I shall therefore undoubtedly be assisted in preserving this excellent constitution. Ld N. shall see that there is at least one Person willing to preserve unspoiled the most beautiful Constitution that ever was framed."

"14th April, 1780.

"*The division last night for rejecting Mr. Crewe's Bill shows an inclination in the House of again viewing matters with some †*discression*."

Same day.

"‡I have not the smallest doubt that the Speaker has pleaded illness to enable the Opp^n to pursue their amusement at Newmarket the next week."

"23 April, 1780.

"§Nothing can bring the present crisis to a more immediate issue than the Question to be proposed tomorrow by Mr. Dunning; but I trust the members will see that the carrying of it will dissolve the Gov^t.

"Rejoices at the growing divisions ag^t what cannot now be denied to be a Plan of Opposition for changing the Constitution."

"6 May, 1780.

"‖The fate of no Question more interested me than that of yesterday. I am much pleased w^h ye Majority."

"9 May, 1780.

"Receives a Copy of a letter to be written by the D. of Cumberland. The whole political sentiments of D. of C. was so adverse to what I think right that any Intercourse

* Mr. Crewe's Bill, for disabling revenue officers from voting at elections. The Committee was negatived by 224 to 195.

† Sic.

‡ On the 14th the Commons adjourned to the 24th April, in consequence of the Speaker's illness.

§ On the 24th Mr. Dunning moved an address against the dissolution and prorogation. This was rejected by 254 to 203.

‖ General Conway's Bill for quieting the troubles in America. The motion for leave to bring in the Bill was rejected by 128 to 81.

between us could only be of a cold and distant kind, and conseq^{y} very unpleasant. I shall therefore, if such a letter, return no kind of answer."

"19 May, 1770.

"* You cannot doubt that I rec^{d} w^{h} pleasure the account of Mr. Burke's bill having been defeated. But you cannot be surprized at my real sorrow in seeing you persist in the idea that your health will not permit you to remain in y^{r} present situation. Had I the power of Oratory or the Pen of an Addison, I c^{d} say no more than what I can convey in the few foll^{g} Lines, viz.: that I am conscious, if you will resolve w^{h} spirit to continue in your pres^{t} employ^{t}, that, with the assistance of a new Parliament, I shall be able to keep the present Constitution of the Country in its pristine Lustre; that there is no means of letting you retire from taking the lead that will not probably end in evil, and, therefore, that till I see things change to a more favourable situation, I shall not think myself at liberty to grant your request. You must be the Judge w^{r} you can honourably desert me when infallible Evil must ensue."

"27 May, 1780.

"I expected little trouble for the remainder of ye Session."

"Kew, 8 June, 1780.

"Parliament must enquire into this Riot."†

"5 June, 1780.

"I have taken ev^{y} step that c^{d} occur to me to prevent

* On the 18th of May the clauses proposing to abolish a number of offices were lost in Committee, when Mr. Burke announced that he considered the Bill gone. It was formally thrown out on the 23d of June.

† On the 1st of June Lord George Gordon presented the Petition of the Protestant Association, and moved for leave to bring in a Bill to repeal an Act lately passed in favour of the Papists; and also moved that the House should immediately resolve itself into a Committee to consider the Petition. The ayes were 6, the noes 192. Those who voted for the motion were Sir P. M. Clarke, Sir Michael Fleming, Sir James Lowther, Mr. Polhill, Mr. Tollemach, and Lord Verney. The tellers were Lord George Gordon and Alderman Bull. The lobby was so crowded with the mob of the Petitioners that there was a great delay before the members could divide.

Tumult tomorrow, and have seen that proper executive orders have been sent by the two Secretaries of State. Trust Parl[t] will take such measures as the necessities of the times require. This Tumult must be got the better of, or it will encourage designing men to use it as a **President* for assembling the people on other occasions. If possible, we must get to the bottom of it, and examples must be made."

"6 June, 1780.

"You cannot be much surprized at my not thinking the H. of C. have advanced so far on the present business as the exigency of the Times requires. The allowing L[d] G. Gordon, the avowed head of the Tumult, to be at large, certainly encourages the continuation of it, to w[h] must be added the great supineness of the Civil Magistrate. I fear w[t] more rigour this will not subside: indeed, unless exemplary punishment is procured, it will remain a lasting disgrace, and will be a precedent for future commotions."

"8 June, 1780.

"In consequence of the resignation of L[d] C. J. de Grey, you will acquaint Mr. Wedd.† that he is tomorrow to kiss hands."

"9th June, 1780.

"I hope ev[y] means are taking to find out the movers and abettors of the horrid tumult we are now beginning to quell."

"17 June, 1780.

"I have this day signed the reversion in favour of Sir J. Erskine,‡ of w[h] you may acquaint the Att[y] Gen[l]."

"21 June, 1780.

"§ I am greatly pleased at the manner in which the

* Sic.

† Wedderburn, then Attorney-General.

‡ Afterwards Lord Rosslyn. His office was Director of Chancery in Scotland.

§ On the 20th, Resolutions, moved by Lord Beauchamp, respecting the Act in favour of Catholics, were carried. On the 19th, Lord North acquainted the House that His Majesty had ordered Lord George Gordon, a member of the House, to be arrested for high treason.

Business seems to have been decided in the H. of C., particularly at having withdrawn the fourth Resolution, and admitted in lieu of it, a Bill for preventing the educating of Protestants at Popish Schools, as this is the only grievance that seems to have the smallest foundation."

"28 June.

"Was not the line taken by Gen[l] Conway rather unexpected? It seemed so to Opposition."

"3[d] July, 1780.

"* The propositions of Opposition are understood to be as follows:—

"I. The American War requires no discussion, as they did not see how the Troops could now be recalled from thence, and the dependence of America need not at present be taken into consideration.

"II. That some public measures must be admitted to enable them to coalesce with reputation, such as Mr. Crewe's Bill, the contractor's Bill, and a part, if not the whole, of Mr. Burke's Bill.

"III. L[d] Rocking[m] did not want office: to offer the D. of Rich[d] and Mr. Fox: to be considered on this occasion.

"IV. The D[s] of Port[d] and Manches[r], Messrs. Townshend and Burke.

"V. No objection to any one remaining in Office but Lord Sandwich.

"The evasive answer ab[t] America will by no means answer. Indeed, on all constitutional Points the Opposition have run so wild, that it is absolutely necessary for those who come into Office to give assurances that they do not mean to be hampered by the Tenets they have held during their Opposition. The second Proposition is, therefore, quite inadmissible. The D. of Rich[d] and Mr. Fox have more avowedly than any others of the Rock. party dipped themselves; for they have added shortening the duration of Parliament, and the former by a strange conceit of changing the whole mode and right of Election, w[d] materially alter the Constitution. This, added to his unremitted personal ill conduct to me,

* This letter refers to the Coalition proposed through Mr. Frederick Montagu.

it cannot be expected that I sh[d] express any wish of seeing him in my service. *Persons must atone for their faults before I can attempt to forgive them.* The D. of R. has not put his Foot into my apartments for seven years; but, not content with this, sent me a message by L[d] Weymouth, that though he never came near me, He, as a Lieu[t] Gen., asked my leave to go to France. As to Mr. Fox, if any lucrative, not Ministerial, Office can be pointed out for him, provided he will support the measures of Gov[t], I shall have no objection to the Proposition. He never had any Principle, and can therefore act as his Interest may guide him.

"The D. of Portl[d] I sh[d] with pleasure see in my service. Irel[d] or any great Court office w[d], I hope, suit him. The D. of Man. in a Lucrative Office I sh[d] not object to: Messrs. Townshend and Burke w[d] be real acquisitions.

"Adheres to L[d] Sand[h], 'whatever his private feelings may be.'"

MINUTES OF CONVERSATION WITH MR. MONTAGUE.

"No Difficulty ab[t] the D[s] of Portl[d] and Manch[r], Mr. Town[d], Mr. Burke, and Mr. Fox. L[d] N. advises that Mr. Fox sh[d] at first be proposed for an Office that w[d] not lead immediately to the closet.

"Some parts of the D. of Rich[d's] conduct, which H. M. thinks meant as personal affronts, w[d] occasion some small diff[ce] w[h] respect to his Grace. The Prejudice must be removed by the D.'s conduct before he can be proposed for any considerable Office."

"Windsor Castle, 31st July, 1780.

"The letter from M. de Maurepas is certainly very extraordinary, and were I not too well acquainted w[h] the duplicity of his conduct, I sh[d] suppose his Life almost depended on the success of his Proposal; but when he wrote the letter, he must have had some very weighty reason for desiring Peace, w[h] makes me a little more hopeful that Spain is resolved to end the War. See L[d] Stormont before any answer is given to Mr. Forth, (whom you know is always a very dubious kind of negociator); and sh[d] that able

negociator not think that we may be drawn into any difficulties by Forth's Journey, I shall not object to it; but should, to Forth's having any Instructions but to hear what Maurepas has to say. If Ld G. Germ. presses the Chancellor civilly for Ambler to be C. J. of Chester, I sh^d^ think he w^d^ acquiesce, though he thinks Kenyon w^d^ clearly be the most respectable appointment. The Chanc^r^ is always so cautious, that it certainly rather retards business."

"18 Septr 1780.

"The letters from Mr. Walpole and Mr. Wentworth are curious, but cannot require any o^r^ remark from me, than that whilst America is only to be treated w^h^ through France, or the *strange unauthorized Propositions of the Commissioners* are to be the Basis of any arrangement w^h^ the rebellious Colonies, I cannot give any sanction to any negoceation. Besides, Mr. Walpole's political conduct cannot make me think him a safe conveyancer or an impartial one. As to the propositions transmitted by Ld Carlisle, but w^h^ have the strongest marks of Eden's Pen, I do not object to the first or second; but no consideration shall ever make me call him to ye English Privy Council, till he has an Office to which that honour is usually attendant."

"22 Sep^t^ 1780.

"Ld Stormont presses for Ld Cathcart (probably in ye 16.) I objected to his youth and small Property. What are the claims of Ld Glencairn? L^d^ St^t^ says they are only his having been useful to the Ld Advocate in Elections.

"As Mr. Adam's wishes of being appointed to the Board of Trade have not taken place, I agree to his being Treasurer of the ordnance. But if you had spoken as strongly to Mr. Eden as I expected, there would yet be time to satisfy the reasonable desire of Mr. Adam."

"26 Sep^t^ 1780.

"Sir H. Clinton's dispatch is certainly of a very gloomy cast. But the giving up the game w^d^ be total ruin. A small state may certainly subsist, but a great one mouldering cannot get into an inferior situation, but must be anni-

hilated. We must strengthen the W. Indian squadron, recruit Clinton's army, not for conquest, but to keep what he has. The French never c[d] stand the * of Germany; that of America must be more fatal to them. America is distressed in the greatest degree. The Finances of France as well as Spain are in no good situation. This War, like the last, will prove one of Credit. By giving up the game, we destroy ourselves to avoid destruction. We must put everything on the Continent of America into the best state of defence. Contract the war to that sole end, and afloat do as much mischief to our enemies as we can."

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† "Oct. 1780.

"Lord Gower came to L[d] North to inform him that he had long felt the utmost uneasiness at the situation of H. M.'s affairs,—that nothing can be so weak as the Gov[t],—that nothing is done,—that there was no discipline in the state, the army or the navy, and that impending Ruin must be the consequence of the present system of Gov[t],—that he tho[t] himself obliged, as well in conscience as in wisdom, to desire an immediate dismissal from his employment,—that he had no connexion with any of the members of the Opposition, which he thought as wicked as the Administration is weak,—that noth[g] can afford the least hope but a Coalition, and he is afraid even that remedy may be too late,—that he feels the greatest gratitude for the many marks of royal goodness which he has received, but that he does not think it the duty of a faithful serv[t] to endeavour to preserve a system which must end in the Ruin of H. M. and of the country. He is determined never again to take Office, but to support Gov[t] in his private capacity. L[d] N. thinks that L[d] Gower's resignation at the present moment must be the ruin of Administration. In L[d] N.'s Arg[ts] w[h] L[d] G., L[d] N. owns that he had certainly one disadvantage, which is, that he holds in his heart, and has held for these three years, just the same opinion with Lord Gower."

"25 Oct[r] 1780.

"The letter from Mr. Montague shews the same temper

* Illegible.

† No day written, and query, whether the year ought not to be 1779?

of mind that always made me respect his character. Mr. Cornwall is a very respectable Person for the Office of speaker,* and ought to be assured of the support of Gov^{t}. That you sh^{d} feel a little languid on the approach of Parl^{t} is not surprising. It is far from being a pleasant sensation, even to me: but y^{r} resolution rises as the occasion calls for it; and I have not the smallest doubt that you will shew the same zeal for w^{h} you have been conspicuous since the Duke of Grafton's desertion."

"30 Oc^{r} 1780.

"The letters certainly seem to show a strong desire of Peace in the Court of France, w^{h} can have no other foundation than difficulty of Finance not fully known here."

"31st Oct. 1780.

"There was some difficulty in getting rid of Mr. Wrl.'s† offer without an absolute refusal of all propositions of a pacific nature, but you have so cautiously drawn the answer to that Gent^{n} as to overcome it. I own, if Mr. W. were not an avowed Enemy to the present Administration, I sh^{d} not think him the possessor of those qualities which are essential to a prudent and able negociator."

"5 Nov. 1780.

"Lord Percy's letters are very suitable to that peevish temper for w^{h} he has ever been accused."

"28 No^{r} 1780.

"Nothing could more strongly shew the venom of Opposition than the making a long altercation on ye thanks to Sir H. Clinton and Ld Cornwallis."‡

"28 Novr 1780.

"Dividing the report of the Army is of a Piece w^{h} the rest of ye illiberal conduct of the present opposition."

* Mr. Cornwall was chosen Speaker by a majority of 203 to 134, who voted for Sir Fletcher Norton.

† Sic. Query, Wraxall?

‡ The vote of thanks was carried without a division.

"10 Decr 1780.

"* My late Fa^{r} when he came to Eng^{d} was near twenty-four years of age. His attendants were not numerous; and this is no rule for me, my Son b^{s} only 18. I have given my Son for Robes and Privy Purse the exact sum I had. His Stables will be more expensive in Saddle Horses, as he will have 16. But by appointing a Groom of ye Stole, instead of a Master of the Horse, a set of Horses and two footmen are diminished. As he will live in my house, he will not need House Serv^{ts}. As I thank Heaven my morals and course of Life but little resemble those too prevalent in the present age, so of all objects in this life the one I have most at heart is to form my children so as that they may be useful examples and worthy of imitation. You thought that, if the whole add^{l} expense of my Children does not exceed £30,000, the money may be found. I have endeavoured to keep it to £20,000.

"Ld Southampton, Col. Hotham, Mr. Lyle, and Col. Lake—average of the expense of Prince of Wales and Prince Fred^{k} for 3 y^{rs}:—

	£12,541	16	3
New Establ^{ts} .	30,108	6	2
	17,566	9	11

Certain increased Exp. or £20,000 for all the Seven Princes."

"Windsor, 18 Decr 1780.

"Secret dispatch† from M. Necker to Lord North. It

* This letter relates to the establishment of the Prince of Wales, afterwards George IV.

† The secret dispatch referred to in this letter was as follows:—

"Pour vous Seul, My Lord, "Paris, ce 1er Decr 1780.

"Une Personne actuellement absente en Paris, et que M. Walpole vous a peutêtre nommée, My Lord, l'ayant engagé dans une demande qu'on n'a point avouée M. W. s'est trouvé dans le cas de s'onoris à moi et ayant en connaissance à cette occasion de quelques fragments d'une lettre qu'il a recu de vous j'ai êté si frappé de la manière noble et franche avec laquelle vous manifestez d'une manière generale votre amour pour la Paix que cette lectude a animé en moi une idée qui vous montresa tout au moins. My Lord, l'estime parfaite que j'ai de votre caracterè, et ne pourra pas j'espère, vous donner une mauvaise opinion du mien. Vous desirez la Paix, je la désire aussi, rapprochés ainsi pas un Sentiment si juste, et par la droitude de nos intentions, pourquoi ne teuterions nous pas ce qu'essayerant un jour les Min-

shews France is under greater difficulties than we imagined, or she w^d not by such various channels scorn to court Peace. W^h France it is easily settled, if she w^d desist from encouraging rebellion, and not add to her other insults by attempting to effect independence, which, whether under its apparent name or a truce, is the same in reality."

"28 Decr 1780.

"Objects to Mr. De Grey as Vice Chamberlain, as his manners are not quite genteel."

istres de la Politique. Nous ne leur ravissons pas les honneurs d'un Traité mais nous pourrions pressader les premieres voges ou connoitre du moins si le temo col venu. J'ai toujours cru que la moderation, le vous sens et la loyanté etoient le fondement des négotiations et les abregeoient infiniment. Vous avez je le sais, My Lord, la confiance du Roy d'Angleterre—et comment ne l'auriez vous pas après les services longo et soutenus que vous lui avez rendus pendant tout le cours de votre honnorable et brilliante administration. Je ne puis pas me glorifier d'avoir les mêmes droits à celle du Roy mais je crois pouvoir vous assender que des overtuder raisonnables reussiroient tout aussi bien dans mes moins, que dans celles de tout autre. Mais S. M. doit tenir ainsi que le Roy d'Angl. à une paix honorable, et c'est là ou commenceat je le sais bien, les difficultés. Vous avez, sârement, plus de lumièdes et de facilités que moi, pour indigner les moyens qui peuvent concilier les pretensions des Parties belligerentes. Serai tout que c'est M. Neckar qui parle à Lord North mes paroles ne seront pas comptés et que je les confie d'ailleurs à un homme fidèle, je dirai franchement du premier abord, qu'en réflechissant à part moi, sur cette matière, Je croirai qu'une Trève, plus on moins longue, pendant laquelle les Parties belligérantes en Amerique y conserveroient d'une manière indépendente ce qu'ils possedent, seroit un premier apperça raisonnable. Les échanges à faire entre la France et l'Angleterre me paroissent faciles, ainsi que l'oubli de ce commissaire inutile et irritent de Dunkerque. Quantè l'espagne à qui le Roi doit fidelité et attachement, je n'oserais m'aventures a parler de ses convenances et de ses pretensions mais il est possible et presque probable qu'elles vous sont connues.

"Si mon idée contrarie en l'essentiel, l'opinion que vous* des sentiments du Roy d'Angl. votre reponse finira notre correspondence.

"Je dois vous observer, My Lord, que dans aucun cas, il ne pourra convenir aux Interets du Roy d'ouvrin une négotiation publique avant que les bases fussent assurées secretement. La raison en est simple, une négociation publique serviroit puissamment votre crédit, et feroit *pes* pour nous, vû que le crédit n'est qu'une portion de nos ressources et qu'il est plus fondé sur une bonne administration intérieure que sur les circonstances politiques, &c."

This secret despatch, from M. Necker, was sent under cover to Lady North, by the hand of a French trader, who was ignorant from whom it came. Without the knowledge of Mr. Walpole a pamphlet was thrown in with it, to give it the appearance of a packet. The receipt was to be acknowledged by a note, by the post, in an unknown hand, with Lord North's seal, and with a common piece of news.

* Sic.

"4 Jan. 1781.

"I trust you will be very careful what answer you give to Lord G. Gordon. Indeed silence seems to me the proper rule of conduct on the occasion. I shall at least follow that mode on the application for publishing his four Conversations. Cert^{y} Ld G. Gord^{n}, in his conversations w^{h} me, said nothing that c^{d} exculpate him. He said, if the restrictions on the R. C., taken off by Parl^{t}, were not repealed, that the Petitioners w^{d} by force right themselves. He after that calls the meeting in St. George's fields and heads them. This does not clear him, but in reality adds to his Guilt."

"14 Jan. 1781.

"I am sorry to find the extraordinaries of Army in W. Ind. and N. America amount to so immense a sum."

"25 Jan. 1781.

"*The division last night handsome."

"2nd Feby 1781.

"†The Question proposed by Mr. Fox ab^{t} the app^{t} of Sir H. Pall. to the Gov^{t} of Greenw^{h} Hospital was unjust and indecent, as ev^{y} thing that comes from that Quarter must necessarily be."

"9 Feby 1781.

"You may settle w^{h} Mr. Wraxall, Member for Hendon,

* Debate on the Coventry election, in which the Government supported Lord Sheffield and Mr. Yeo. The division was 109 to 85. Mr. Holroyd had recently been created Lord Sheffield, in consequence of the part he took in Lord George Gordon's Riots. Many years afterwards, he married, for his third wife, Lady Anne North, second daughter of Lord North.

† On the 1st of February Mr. Fox moved "That the appointment of Sir H. Palliser as Governor of Greenwich Hospital is subversive of the discipline and derogatory to the dignity of the navy, he having, by the sentence of a court-martial, been declared to have preferred a malicious and ill-founded accusation against his commander-in-chief, Admiral Keppel." Lord North moved an amendment, to leave out the words relating to the sentence of the court-martial; and this was carried by 214 to 149. After this, the motion to proceed to the Order of the day, was carried without a division.

on any just demand he can have. Undoubtedly he was sent over by the discontented nobility of Denmark, previous to the death of the late Queen my sister, with a plan for getting her back to Copenhagen, w^h^ was introduced to me w^h^ a letter from her. Her death and my delicate situation, having consented to her retiring into my German Dominions, prevented me from entering eagerly into this proposal."

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* WRAXALL TO ——.

"I have already presumed twice to address your M. by Letter; and as I am persuaded that the multiplicity of affairs which engage your M.^s^ attention has alone prevented your M^y^^s^ reply, I venture humbly to renew my requests and Petitions. I am the more emboldened to reiterate my intreaties from the assurances which I have received only a few days since from H. R. H. the Hereditary Princess of Brunswick † to intercede w^h^ you in my behalf. I am sure it is unnecessary to remind your M. that I was entrusted w^h^ one of the most important secrets in Europe—a Conspiracy to replace the Queen Matilda of Denmark on her Throne;—that I had the honour to be intimately confided in by H. M., and to be sent by her from Zell to Eng^d^ repeatedly;—that I carried back your M.^s^ Articles and Conditions for the accomplishment of this Event;—that the lives and fortunes of the first Danish Nobility were and still are in my possession;—and that I have never divulged or betrayed in the smallest degree the Trust reposed in me. I only humbly request from your M.^s^ bounty the sum, amounting nearly to five hundred Pounds, which I actually laid out from my private Purse for Her Danish Majesty. This is the ultimate limit of my hopes and entreaties.

"N. W. WRAXALL.

"77, New Bond Street,
1st April, 1780."

* Letter from Mr. Wraxall to George III.

† The sister of George III., who married the Duke of Brunswick, and was mother of the late Queen Caroline.

"15 Feby 1781.

"From my Son's (Pr. of W.) love of expense, I have already grounds to judge that the extraordinaries will be great."

"27 Feby 1781.

"*Great Pleasure at the Maj^{y} ag^{t} the second reading of Mr. Burke's Bill."

"1st March, 1781.

"Mr. Robinson sent me the list of the Speakers last night, and of the very good Majority. I have this morning sent him £6000 to be placed to the same Purpose as the Sum transmitted on the 21st of August."

"8th March, 1781.

"Mr. Deane sh^{d} so far be trusted as to have £3000 in goods for America. His bringing any of the Provinces to offer to return to their allegiance w^{d} be much better than a joint application through the Congress. Wonders at Opposition to the Lottery.† 'Unless mankind c^{d} be prevented 'from Gambling, it must be right for ye Public to avail 'itself of that vice rather than lose the necessaries of 'Life.'"

"26 March, 1781.

"The Athol family seem never contented. I leave the affair to you."

"27 March, 1781.

"‡The conduct of Sr G. Saville, in making so strange a

* Burke's Civil Establishment Bill, introduced on the 15th of February. The second reading, moved on the 26th, and lost by 233 to 190. It was in this debate that Mr. Pitt, then member for Appleby, and not yet twenty-one years of age, made his first speech. Lord Lauderdale, then Lord Maitland, also made his first speech the same night; both spoke strongly in favour of the Bill.

† Debate on the 7th of March on the Budget. Mr. Fox moved, in the resolution containing the Terms of the Loan, to omit the clause concerning the Lottery. This was lost by 169 to 111.

‡ On the 26th of March Sir George Savile moved for a Committee to inquire into the circumstances of the Loan and its distribution. This was negatived by 209 to 163.

motion yesterday, was very consistent with his looking on himself as the Representative for Mr. Wyvill's Congress."

"9 May, 1781.

"*I am much pleased w^h finding the Friends of ye present Constitution so numerous in the Division last night."

"17 May.

"Enclose the letter from Ld Gower. I referred the D. of Athol for his claim on ye Fisheries of ye Isle of Man, as b^g manorial, not Sovereign Rights, to you and the Crown Lawyers."

"2^d June, 1781.

"Count Belgioso's strange Paper shews that Austria has not quitted her late partiality to the H. of Bourbon, or that to gain the Court of Russia the sentiments of Panin are to guide the mediators. With either of these opinions I expect no good from either of these Courts."

"6 June, 1781.

"The intelligence from France is curious, and proves that the influence of the Queen will soon be much increased or entirely annihilated."

"15 June.

"†It is diff. to say which is more remarkable, the manly fortitude of the great Maj^y or the impudence of ye Minority."

"7 July, 1781.

"On the death of ye B^p of Ely my regard for the Family of Yorke makes me willingly appoint the B^p of Gloucester."

* Sir George Savile moved, on the 8th of March, to refer the Petition from the Delegated Counties, for redress of grievances, to a Committee of the whole House. This was negatived by 212 to 135.

† On the 12th of June Mr. Fox moved, to take into consideration the state of the American war. The motion was negatived by 172 to 99.

"14 July, 1781.

"The more I reflect on the hint Lord North gave me of Dr Balguy as a proper Person for the See of Glouc^r^ the more I am convinced that he is the first man in point of reputation in the Republic of Letters of either University. Besides it was he who put an end to the meeting at the Feathers by the charge he published as Archd^n^ of Winchester. You may therefore offer him Gloucester."

"3 August, 1781.

"Dr Balguy's conduct does him great credit."

"20 August, 1781.

"My eldest son got last year into an improper connexion w^h^ an actress and woman of indiff^t^ character, through the friendly assistance of Ld Malden.* He sent her letters and very foolish promises, which undoubtedly by her conduct she has cancelled. Col. Hotham has settled to pay the enormous sum of £5000 for the letters, &c., being returned. You will therefore settle w^h^ him."

"23rd Octr 1781.

"Ld Rochf^t's^ situation is truly pitiable. He cert^y^ ought to have a Pension. As far as my memory serves me, Earls have gen^y^ had from £600 to £800.

"Your ideas of Mr. Francis seem very candid, and are so consonant to my opinion that I shall exactly measure my reception of him tomorrow by that scale."

"29 Oct. 1781.

"Lieut^cy^ of Bucks to Ld Chest^d^. I shall never again appoint to a Lieut^cy^ any one whose sentiments are not cordial to Gov^t^."

"3 Nov. 1781.

"Lt Col. Conway from America tells me that Sr H. Clint^n^ asking for leave shews that the Camp.† in Virginia

* Afterwards the Earl of Essex. The actress was Mrs. Robinson.
† Campaign.

is at an end. Ld Cornwallis will certainly leave the Chesapeake and return to Charlestown, after having beat La Fayette."

10th Novr 1781.

"I have no objection to the proposal of ye L^d^ L^t^ that Ld Shannon sh^d^ succeed Mr. Hood as Vice-Treasurer. The private character of the latter must make me very ready to supersede him."

"11 Novr 1781.

"Ld Temple's letter is not couched in that temper w^h^ c^d^ incline to a reconsideration of his request, viz., for the Lieut^y^ of Bucks."

"28 Novr 1781.

"*I am delighted at the Maj^y^, and not surprized that some Principal Members have wavered in their Sentiments."

"13 Decr 1781.

"†I was rather disappointed at the Maj^y^ not being greater ag^t^ the Question moved by Sr J. Lowther."

"26 Decr 1781.

"Ld G. Germ. applied to me yesterday for a new Comm^r^ in America in the name of ye Cabinet.

"I asked time. My opinion is as follows:—Undoubtedly Sr Guy Carleton is the best. He and Ld G. Germ. are incompatible. Ld G. is not unwilling to retire, if he gets his object, w^h^ is a Peerage. No one can then say he is disgraced; and when the appointment of Sr G. C. accompanies his retreat, it will be ascribed to its true cause, and not to any change in my Sentiments on ye essential Point, namely, the getting a Peace at the expense of a separation from America, w^h^ no difficulties shall ever get me to con-

* The majority on the Address on the 27th November was 218 to 129.

† Sir James Lowther's motion for putting an end to the American war was negatived by 220 to 179.

sent to do. If you think it best to gratify Ld G., I will sound Mr. Jenkinson as to succeeding him."

"14 January, 1782.

"Ld G. G. willing to remain, if the War be carried on w^h^ vigour, if a blow be struck in the West Indies, and if it be resolved not to submit to a separation."

"21 Jany 1782.

"Your strange indecision ab^t^ Ld G. G. is most *uncreditable."

"4th Feby 1782.

"If Mr. Ellis accepts the American Sec^y^ship, it w^d^ surprize me."

"6 Feby 1782.

"Such very proper conduct as that of Mr. Ellis is, I fear, only to be found in men of the last age. If the Lord Advoc. accepts the office of Treasurer of ye Navy, I shall not consent to his having his great Scotch office for Life. The trouble he has given this winter is not a reason for making him independent; and great as his desires seem to be, that of the best English House of Commons Office and one of £2000 per annum in Scot^d^ during pleasure are no small recompenses."

"11 Feby 1782.

"Applies for Mr. Barnard, the K^s^ Librarian, to be appointed to the sinecure Office of Comptroller or Coll^r^ of Customs at Bristol, just vacant."

"17 Feby 1782.

"If Deanery of St Paul's not ment^d^ to B^p^ of Oxf^d^, begs it for Dr Thurlow."

"24 Feby 1782.

"You cannot be surprized at my being much hurt at the

* Sic.

succession* of M. Conway's motion, though in some degree prepared for it by w^t^ you s^d^ yest^y^."

"9 March, 1782.

"†You may easily conceive that I am much hurt at the appearance of yesterday in the H. of Commons, and at Ld North's opinion that it is totally impossible for the present Ministry to continue to conduct public business any longer. This leads so much, after the Trials I have made of late, to my taking so decisive a step, that I must certainly deliberate before I can return an answer."

"17 March, 1782.

"‡Sorry to find that the majority this morning did not exceed nine. It looks as if the H. of C. are going lengths that could not have been expected. I am resolved not to throw myself into the hands of Opposition at all Events, and shall certainly, if things go as they seem to tend, know what my conscience as well as honour dictates as the only way left for me."

"19 March, 1782.

"After having yesterday in the most solemn manner assured you that my Sentiments of honour w^d^ not permit me to send for any of the Leaders of Opposition and personally treat w^h^ them, I c^d^ not but be hurt at y^r^ letter of last night. Ev^y^ man must be the sole Judge of his Feelings, therefore whatever you *or any man can say has no avail with me.*

* Sic. On the 22d of February General Conway made a motion against continuing the American war. This was negatived by 194 to 193. On the 27th, he renewed the motion in the form of a Resolution. The House divided, for the motion 234, against it 215. It was then moved that the address be presented by the whole House, and on the 4th of March the Speaker reported the King's answer.

† On the 8th of March, Lord John Cavendish moved a detailed censure upon the conduct of the war, and on the Ministers, to whose want of foresight and ability he ascribed what had happened. This was rejected by 226 to 216. Pitt was one of the Tellers for the minority.

‡ On the 15th of March, Sir John Rous moved to withdraw the confidence of Parliament from Ministers. This motion was negatived by 236 to 227.

"Till I have heard what the Chan^{r} has done, from his own mouth, I shall take no step; and if you resign before I have decided what to do, YOU WILL CERTAINLY FOR EVER FORFEIT MY REGARD." *

"22nd March, 1782.

"Recommends to Ld N. an application of Mr. Jenkinson for a new Patent of the Office of Coll^{r} Inwards, of London. I have an inclination to grant to you† the same pecuniary reward that Sr R.‡ W. accepted."

"25 March, 1782.

"The Chanc^{r} suggests, instead of a Pension, the § C. P^{s} for Life, w^{h} a Sal^{y} equal to Sir Robt Walpole's Pension. Are you of that opinion?"

"26 March, 1782.

"I have declared to those *who are to form an Administration*, that no Provision will be made except for you and Mr. Robinson. All farther application for offices, reversions, &c., must now cease."

"27 March, 1782.

"At length the fatal day is come, which the misfortunes of the Times, and ye sudden change of Sentiments of the H. of C. have driven me to, of changing my Ministers, and a more general removal of other Persons than I believe ever was known before. I have to the last fought for Individuals; but the number I have saved, except my Bed Chamber, is incredibly few. You w^{d} hardly believe that even the D. of Montague was strongly run at; but I declared that I w^{d} sooner let confusion follow, than part w^{h} the late gov^{r} of my Sons, and so unexceptionable a man; so that he and Ld Ashburn.‖ remain. The effusion of my sorrows has made me say more

* Lord North announced in the House of Commons, on the 20th of March, that his Government was at an end. On the 27th, Lord Rockingham's Government was formed. On the 13th July, the Government of Lord Shelburne and Pitt, and on the 5th of April, 1783, the Coalition Government came in, and lasted till the 27th December, 1783.

† Lord North. ‡ Sir Robert Walpole.
§ Cinque Ports. ‖ Lord Ashburnham.

than I intended; but I ever did, and ever shall, look on you as a Friend as well as a faithful servt."

"4 Novr 1782.

"* Informs the King that his friends in the H. of C. are, in general, well inclined to support H. M.'s Govt."

ANSWER,

"4 Novr 1782.

"The Times certainly require the concurrence of all who wish to prevent anarchy. I have no wish but the prosperity of my dominions; therefore, must look on all who will not heartily assist me as bad men, as well as ungrateful subjects."

"8 April, 1783.

"In December, the Queen received the Diamond Ring Sir J. Rumbold had been entrusted with, and had secreted till Col Crosbie, who came in the autumn from Madras, obliged him to deliver it.

"The application from the Surrey and Middlesex Magistrates may be a reason to spare the life of Broadshed; but his accomplice must suffer death when the Respite expires."

"30 April, 1783.

"Abp. of Cantv may do homage this day."

"14 May, 1783.

"You cannot pretend that your letter, renewing the application of the two Ladies that were robbed by Edward Wootten, contains any new matter. Robberies are so much encreased that the Law must take its course."

"6 June, 1783.

"I am sorry the Earl of Hardwick has so solid a reason for the indulgence of driving through the Park, which I certainly will grant as desired by him, except driving through

* Communication from Lord North to the King.

the Horse Guards. I am sorry so respectable a nobleman is not likely to last long."

"Windsor, 12 July, 1783.

"Undoubtedly the Americans cannot expect, and never will receive, any favour from me; but the permitting them to obtain men unworthy to remain in this Island, I shall certainly consent to."

"18 July, 1783.

"As Moore's offer for conveying the convicts to Nova Scotia, if they are not admitted into the rebel Provinces, is so much more moderate than Hamilton's, it ought to be accepted."

"24 Oct. 1783.

"By every enquiry I have made of L[d] Amherst, he denies Gov[t] being in the least concerned in the transaction of y[e] E. I. Comp[y] with Co[l] Erskine. I therefore look upon granting half pay as a wanton expenditure of the public money."

"29th Nov[r] 1783.

"By the sad measures we have adopted, Ireland is now, in fact, disunited from this Kingdom."

NOTE.

Without date.*

"The intimate union of the Courts of Vienna, Petersb[g], and Berlin, is so contrary to all Political ideas, that nothing can be imagined more extraordinary but the object of it, namely, the Partition of Poland. As if this age had been destined for extraordinary Events, the King of Sweden, by one daring step, has overthrown the Swedish constitution; and the States, having blunted ev[y] noble Sentiment by their

* This note evidently was written in the autumn of 1772, the date of the Swedish Revolution, and of the first partition of Poland, which was planned by Frederick the Second of Prussia in 1772.

corruption, infamously submitted without making the smallest Struggle to preserve their Liberties. Denmark, actuated by disappointment, timidity, and a blind submission to Russia, has taken a most incomprehensible part; for while shewing intentions of attacking Sweden, she is making such excessive preparation for defence, that must exhaust her before the hour of defence can arrive. Russia, instead of remembering w^h^ gratitude the assistance her Fleet met with in the Ports of Britain, has been induced by the false insinuations of Prussia to consider Eng^d^ as at best a cold Friend.

"In the expected broils in the North, our Policy consists in neutrality, w^h^ a determination to let France see, that if she sends a Fleet we must follow her example, which will enduce her to limit her aid to the K. of Swed. to money."

LORD LOUGHBOROUGH.

Mr. Wedderburn, afterwards Lord Loughborough and Earl of Rosslyn, was one of the few eminent lawyers who have shone at the least as much in political affairs as in Westminster Hall. Of those English barristers to whom this remark is applicable Mr. Perceval was perhaps the most considerable; of men bred at the Scotch bar, and who were promoted in England, Lord Melville: Mr. Wedderburn, in some sort, partook of both kinds, having been originally an advocate in Edinburgh, where he distinguished himself by his eloquence and by the fierceness of his invective, which, being directed against a leading member of the bar, ended in a quarrel with the court, led to his removing from the provincial theatre, and ultimately raised him to the English bench. He was a person of great powers, cultivated with much care, and chiefly directed towards public speaking. Far from being a profound lawyer, he was versed in as much professional learning on ordinary subjects as sufficed for the common occasions of *Nisi Prius*. On peerage law, he is believed to have had more knowledge, and the whole subject lies within a very narrow compass. He affected great acquaintance with constitutional learning; but on this doubts were entertained, augmented, certainly, by the unscrupulous manner in which he placed his opinions at the service of the political parties he successively belonged to. But his strength lay in dealing with facts; and here all his contemporaries represent his powers to have been unrivalled. It was probably this genius for narrative, for arguing upon probabilities,

for marshalling and for sifting evidence, that shone so brilliantly in his great speech at the bar of the House of Lords, upon the celebrated Douglas cause, and which no less a judge than Mr. Fox pronounced to be the very finest he ever heard on any subject. It must, however, be remarked, in abatement of this high panegyric, that the faculty of statement and of reasoning without the excitement of a contentious debate, being very little possessed by that great man himself, a happy display of it, not so unusual in professional men, might produce a greater impression upon him than was proportioned to its true value and real weight. That it was a prodigious exhibition may nevertheless be admitted to the united testimony of all who recollect it, and who have lived in our own times. That Lord Loughborough never forgot the Douglas cause itself, as he was said to have forgotten so many merely legal arguments in which he, from time to time, had been engaged, appears from one of his judgments in Chancery, where he imported into a case before him facts not belonging to it, but recollected by him as having been proved in the case of Douglas.

His manner in earlier life was remarked as excellent; and though it probably partook even then of that overprecision which, in his later years, sometimes bordered upon the ridiculous, it must certainly have been above the common order of forensic delivery to earn the reputation which has remained of it. That he made it an object of his especial care is certain. He is supposed to have studied under a player; and he certainly spared no pains to eradicate his northern accent, beside being exceedingly careful to avoid provincial solecisms. His efforts were eminently successful in both these particulars; but the force of second nature, habit, will yield to that of Nature herself, who is apt to overcome in the end all violence that cultivation may do her. His Scotticisms and his vernacular tones returned as his vigour was impaired in the decline of life; showing

that it was all the while an effort which could not continue when the attention was relaxed and its powers enfeebled.

Upon the removal of Sir Fletcher Norton he joined the Northern Circuit, having then the rank of King's Counsel. As this was contrary to all the rules of the profession, and was, indeed, deemed to be a discreditable proceeding, as well as a breach of discipline, even independent of other peculiarities attending the operation,* an immediate resolution was adopted by the Bar to refuse holding briefs with the new-comer; a resolution quite fatal to him, had not Mr. Wallace, a man of undoubted learning and ability, been tempted to break it, and thereby at once to benefit himself and nearly destroy the combination. He thus secured, beside the immediate advantage of professional advancement, the patronage of his leader, who, in a few years, became Solicitor-General, and afterwards Attorney, under Lord North's administration, drawing Mr. Wallace upwards in his train. He practised in the Court of Chancery; but in those days the line had not been drawn which now, so hurtfully for the Equity practitioner, separates the two sides of Westminster Hall; and Chancery leaders frequented the different circuits almost equally with practitioners in the Courts of Common Law.

When he entered the House of Commons, he became, in a very short time, one of the two main supports of its ministerial leader; the other was Lord Thurlow: and while they remained there to defend him, Lord North might well, as Gibbon has described the "Palinurus of the state," indulge in slumbers, with his Attorney and Solicitor-General on either hand remaining at their posts to watch out the long debate. No minister before or since the time of Mr. Addington ever depended so much upon the services of his pro-

* He came there with the same clerk whom Sir F. Norton had before in his service.

fessional supporters. Indeed, they and Mr. Dundas, alone, appear to have shared with him the whole weight of an attack conducted by the powers of an opposition which Burke and Fox led, and aggravated by the uninterrupted series of disasters which, during the whole American contest, attended the councils of the King and his servants.

Of the debates in those days such scanty remains are preserved, that no one could discover from them the qualities, or even the classes, of the orators who bore a part in them. The critic cannot from such fragments divine the species and supply the lost parts, as the comparative anatomist can by the inspection of a few bones in the fossil strata of the globe. Until, therefore, Lord Loughborough came to the House of Lords, indeed until the Regency question occupied that assembly in 1788 and 1789, we were left without the means of assigning his place as a debater. Of his forensic powers we have better opportunities to judge. Several of his arguments are preserved, particularly in the Duchess of Kingston's case and in one or two causes of celebrity heard before him in the Common Pleas, from which we can form an idea, and it is a very exalted one, of his clearness and neatness of statement, the point and precision of his language, and the force and even fire with which he pressed his argument, or bore down upon an adverse combatant. The effect of his eloquence, upon a very favourable audience certainly, and in a season of great public violence and delusion, for it was against the Americans, and before the Privy Council at the commencement of the revolt, is well known. Mr. Fox alluded to it in warning the Commons against being led away by such eloquence as Mr. Pitt had just astonished them with, at the renewal of the war in 1803; reminding them how all men "tossed up their hats and clapped their hands in boundless delight" at

Mr. Wedderburn's Privy-Council speech, without reckoning the cost it was to entail upon them Of this famous display nothing remains but a small portion of his invective against Franklin, which, being couched in epigram, and conveyed by classical allusion, has been preserved, as almost always happens to whatever is thus sheathed. It refers to some letters of a colonial governor, which, it was alleged, had come unfairly into Franklin's hands, and been improperly used by him; and the Solicitor-General's classical wit was displayed in jesting upon that illustrious person's literary character, and calling him a man of three letters, the old Roman joke for a thief! Pity that so sorry a sample of so celebrated an orator should be all that has reached the present time to justify the account given by Mr. Fox of the effects which its delivery produced! We are thus reminded of Swift's allusion to some statue of Cato, of which nothing remained save the middle region.

That the speech and the whole scene was not without its effect upon him who was the principal object of attack, appears sufficiently certain; for though, at the moment, a magnanimous, and, indeed, somewhat overdone, expression of contempt for the speaker is reported to have escaped him in answer to one who hoped, rather clumsily, that he did not feel hurt, "I should think myself meaner than I have been described, if anything coming from such a quarter could vex me;" yet it is well known that, when the ambassadors were met to sign the peace of Versailles, by which the independence of America was acknowledged, Franklin retired, in order to change his dress and affix his name to the treaty in those very garments which he wore when attending the Privy Council, and which he had kept by him for the purpose during many years, a little inconsistently, it must be confessed, with the language of contemptuous indifference used by him at the moment.

When he was raised to the bench in 1780, and the Special Commission was issued for trying the rioters, he presided, and delivered a charge to the Grand Jury, the subject at the time of much animadversion for its matter, and of boundless panegyric for its execution. It was published and widely circulated under the authority of the learned Judge himself; and we have thus in the first place the means of determining how far the contemporary opinions upon that production itself were well founded, and next how far the admiration excited by the other efforts of the same artist was justly bestowed. Whoever now reads this celebrated charge will confess that the blame and the praise allotted to it were alike exaggerated. Far from laying down bad law and propagating from the Bench dangerous doctrines respecting treason, the whole legal portion of it consists in a quotation from Judge Foster's book, and a statement in which every lawyer must concur, that the Riot Act was never intended to prevent the magistrate from quelling a riot during the hour after proclamation. Then the whole merit of the address in point of execution consists in the luminous, concise, and occasionally impressive sketch of the late riotous proceedings which had given rise to the trials. That this narrative, delivered in a clear and melodious voice, loud without being harsh, recently after the event, and while men's minds were filled with the alarm of their late escape, and with indignation at the cause of their fears, should make a deep impression, and pass current at a standard of eloquence far above the true one, may well be imagined. But so much the more reprehensible (and here lies the true ground of blame) was the conduct of the Judge who could at such a moment take the pains manifested throughout this charge to excite, or rather to keep alive and glowing, those feelings which the due administration of justice required him rather

sedulously to allay. Within a short month after the riots themselves, six-and-forty persons were put upon their trial for that offence; and nearly the whole of the Chief Justice's address consisted of a solemn and stately lecture upon the enormity of the offence, and a denial of whatever could be alleged in extenuation of the offenders' conduct. It resembled far more the speech of an advocate for the prosecution than the charge of a Judge to the Grand Jury. Again, when we find a composition which all men had united to praise as a finished specimen of oratory, falling to a rather ordinary level, there is some difficulty in avoiding the inference that an abatement should also be made from the great eulogies bestowed upon its author's other speeches, which have not reached us; and we can hardly be without suspicion that much of their success may have been owing to the power of a fine delivery, and a clear voice in setting off inferior matter; to which may be added the never-failing effect of correct composition, if employed either at the Bar or in Parliament, where a more slovenly diction is so much more frequent even with the best speakers.

That he was a thoroughly-devoted party-man all his life, can indeed no more be questioned than that he owed to the manœuvres of faction much of his success. He did not cease to feel the force of party attachment when he ascended the Bench; and there can be no doubt that his object at all times, even while he sat in the Common Pleas, was to gain that great prize of the profession which he at length reduced into possession. We shall in vain look for any steady adherence to one code of political principles, any consistent pursuit of one undeviating line of conduct, in his brilliant and uniformly successful career. He entered parliament in uncompromising opposition to Lord North's cabinet, and for some years distinguished himself among their most fierce assail-

ants, at a time when no great errors had been committed, or any crimes against public liberty or the peace of the world could be laid to their charge. On the eve of the American war he joined them, when their measures were becoming daily more indefensible; and it is known that, like many others in similar circumstances, he appeared at first to have lost the power of utterance, so astonished and overcome was he with the plunge which he had made after preferment.* But he soon recovered his faculties, and continued in office the constant and unflinching supporter of all the measures by which his former adversaries converted discontent into disaffection, and out of disaffection raised up revolt; nor did he quit them when they had severed the empire in twain. Removed from the strife of the senate and the forum, on the bench he continued their partizan, when they joined in a coalition with their ambitious and unscrupulous enemies. For many years of Mr. Pitt's administration he was the real if not the avowed leader of the Foxite opposition in the House of Lords, as well as Chief Justice of the Common Pleas in Westminster Hall. He had under the Coalition enjoyed a foretaste of that great banquet of dignity and patronage, emolument and power, on which he had so immoveably fixed his long-sighted and penetrating eye; having been Chief Commissioner of the Great Seal during the short life of that justly unpopular administration. This scanty repast but whetted his appetite the more; and among the more bold and unhesitating of the Prince's advisers upon the question of the Regency, the Chief Justice was to be found the boldest and most unflinching.

No one can, upon a calm review of that famous controversy, entertain any doubt that the strict letter

* Alluding to this passage of his life, Junius, in his XLIVth Letter, says, "We have seen him in the House of Commons overwhelmed with confusion, and almost bereft of his faculties."

of the constitution prescribed one course, while the manifest considerations of expediency prescribed another. Nothing can be more contrary to the whole frame of a monarchy than allowing the very fundamental principle, that of hereditary descent, for which and its benefits so many strange and even pernicious anomalies are overlooked, such constant risks encountered, and such serious practical inconveniences borne with, to be broken in upon when the sovereign is disabled, whether by infancy or by old age, or by disease, and, instead of following the plain course of the succession, to call in the elective voice of the country by an act that resolves the government into its first principles. To make this appeal, and not merely to elect a regent, but to limit his powers, is, in other words, to frame a new constitution for the state which shall last during the monarch's incapacity, and which, if it be fit for the purposes of government, ought assuredly not to be replaced by the old one, when he recovers or attains his perfect powers of action. The phantom of a commission issued by an incapable king to confer upon what the two other branches of the legislature had proposed, the outward semblance of a statute passed by all the three, was an outrage upon all constitutional principle, and, indeed, upon the common sense of mankind, yet more extravagant than the elective nature of the whole process. Nevertheless, there were reasons of a practical description which overbore these obvious considerations, and reconciled men's minds to such an anomalous proceeding. It seemed necessary to provide for the safe custody of the king's person; and for such a sure restoration of his powers as should instantly replace the sceptre in his hand the very moment that his capacity to hold it should return. His Vicegerent must plainly have no control over this operation, neither over the Royal patient's custody, nor over the resumption of his office, and the termination of his

own. But it would not have been very easy to cut off all interference on the Regent's part in this most delicate matter, had he been invested with the full powers of the Crown. So, in like manner, the object being to preserve things as nearly as possible in their present state, if those full powers had been exercised uncontrolled, changes of a nature quite irreversible might have been effected while the Monarch's faculties were asleep; and not only he would have awakened to a new order of things, but the affairs of the country would have been administered under that novel dispensation by one irreconcilably hostile to it, while its author, appointed in the course of nature once more to rule as his successor, would have been living and enjoying all the influence acquired by his accidental, anticipated, and temporary reign. These considerations, and the great unpopularity of the Heir-apparent, and his political associates, the coalition party, enabled Mr. Pitt to carry his proposition of a regency with restricted powers, established by a bill to which the two remaining branches alone of the crippled Parliament had assented, instead of their addressing the Heir-apparent, declaring the temporary vacancy of the throne, and desiring him temporarily to fill it. The sudden recovery of the King prevented the experiment from being then fully tried; but it was repeated after great opposition and much discussion in 1810. The two precedents thus made have now settled the constitutional law and practice in this important particular.

The Parliament of Ireland, it is to be remarked, did not, in the earlier case, pursue the same course with that of Great Britain. Our fellow-citizens, although dwelling farther from the rising sun, are more devotedly given to its worship than ourselves. They could see nothing of expediency or discretion sufficient to restrain their zeal; and they at once addressed the Prince of Wales to take upon him the government

without any restriction whatever, leaving it to His Royal Highness to make what provision he might deem most convenient for his own dethronement and his father's restoration, should he recover. It is the same country which, having some thirty years later been ill-used by the same individual, testified their sense of this treatment by overt acts of idolatry, when he went among them at the most justly unpopular period of his life, and even began a subscription for building him a palace, of which, however, not a farthing was ever paid.*

In the consultations, and in the intrigues, to which this crisis gave rise, Lord Loughborough bore a forward part. That he should have agreed with the rest of the party in the constitutional view which they took of the question, could excite no surprise, nor give rise to any comment. But it is well known that his views were of a more practical nature than any which appeared in the debate. Bold, determined, unscrupulous, he recommended in council a course which nothing but the courage derived from desperation could have made any English Statesmen in the eighteenth century take into their serious consideration, and which, if it had been pursued, would have left the odium attached to the Coalition in the shade, and made the people of this country repent them of not having detested the parties to it yet more bitterly

* General censures of a whole nation are generally foolish, and really of no avail. But, if the Irish people would avoid the ill opinion under which they labour among all men of reflection, and raise themselves to the rank of a nation fit for self-government, they must begin to show that they can think for themselves, and not follow blindfolded every delusion, or suffer to be practised upon them every gross and shameless fraud, and give the countenance of their acquiescence to every avowal of profligate principles which can be made before them. At present, they are only known to the rest of their fellow-citizens for a mass of people never consulted, though absolutely ruled, by the priests and the patriots, who use them as blind, unreflecting tools. Yet the genius and the worth of the nation are denied by none. May they soon be really emancipated, and learn to think and act for themselves!

and more universally. It was the opinion of the Lord Chief Justice, that the Prince of Wales should not have waited for even an address of the two houses; but, considering them as nonentities while the throne was empty, should at once have proceeded to restore, as it was delicately and daintily termed, the executive branch of the constitution; in other words, proclaim himself regent, and issue his orders to the troops and the magistrates, as if his father were naturally dead, and he had succeeded, in the course of nature, to the vacant crown. There is no reason to believe that this scheme of Lord Loughborough was adopted by the chiefs of the party, nor, indeed, is there any evidence that it was communicated to them. That it was an advice hinted to the Heir-apparent, or at least a subject discussed with him, and of which memoranda remain in the Chief Justice's hand-writing, is very confidently affirmed from ocular inspection. Whether or not a very popular prince might with safety have ventured upon such an experiment, is a question so wide of the actual case, that no time needs be wasted upon its solution. That the individual to whom this perilous advice was tendered could not have done so without a civil war, appears sufficiently evident. Indeed, the marriage *de facto*, legal or illegal, which he had contracted with a Catholic lady, and of which the circumstances were generally known, would alone have furnished Mr. Pitt with a sufficient objection to his title; and the country would have owed to one of her reverend judges the blessings of a disputed succession and intestine tumults, such as she had not experienced since the days of the Two Roses. There can be little doubt, whether we consider the character of the man, or his subsequent conduct towards George III. on the Catholic question, and his advice respecting the Coronation oath, that part of Lord Loughborough's design was to obtain an undivided control over the Prince, who should then have flung himself into his

hands by adopting his extreme opinions, and acting upon such hazardous counsels.

The discomfiture of the opposition party by the King's recovery, and by the great accession to his personal popularity which his illness had occasioned, left Lord Loughborough no prospect of power for some years. The French Revolution was then approaching, and the Whigs suffered the almost irreparable blow of the Portland party separating themselves upon the great questions connected with that event. He was one of the seceders; nor in taking this step did he quit his allies of the North school. The Great Seal, now within his reach by Lord Thurlow's quarrel with Mr. Pitt, may have operated as an additional temptation to close his ears against the evils of the war into which this junction plunged the country; but one, who had defended the government steadily through all the calamities of the American contest, had not much to learn of fortitude in seasons of difficulty, or of patience under public misfortune. He held the Great Seal for seven or eight years, and was at the head of the law during the period of attempted proscription and actual persecution of the Reformers, the professors of those opinions carried to the extreme, which the Whigs, his late allies, professed in more moderation and with a larger admixture of aristocratic prejudices. But of him it cannot be said, as of Mr. Pitt, that he had ever professed reform principles. On the contrary, the North party at all times differed upon that question with their Foxite coadjutors, who, indeed, differed sufficiently upon it among themselves.

The character of Lord Loughborough stood far less high as a judge than as either a debater in parliament or an advocate at the bar. His decisions evince little of the learning of his profession, and do not even show a very legal structure of the understanding. They are frequently remarkable enough for clear and

even felicitous statement; but in close argument, as in profound knowledge, they are evidently deficient. Some of his judgments in the Common Pleas were more distinguished by ability, and more admired at the time, than any which he pronounced in the court where the greater part of his life had been passed. But he was not unpopular at the head of the profession. His manners were courteous and even noble; his liberality was great. Wholly above any sordid feelings of avarice or parsimony, and only valuing his high station for the powers which it conferred, and the dignity with which it was compassed round about, he maintained its state with a munificent expenditure, and amassed no money for his heirs. He was moreover endued with personal qualities which a generous profession is apt to esteem highly. Reasonably accomplished as a scholar, cultivating all his life the society of literary men, determined and unhesitating in his conduct, polite in his demeanour, elegant, dignified in his habits, equal in his favour to all practitioners, unawed by their talents as uninfluenced by any partialities, and resolute in maintaining his own and his profession's independence of any ministerial authority—those who have succeeded him never advanced greater claims to the personal confidence or respect of the Bar; and his known deficiencies in much higher qualifications were overlooked by men who felt somewhat vain of being ruled or being represented by such a chief. In this exalted station he remained during the whole eventful years that followed the breaking out of the French war, and until the retirement of those who had made it, a retirement probably occasioned by the necessity of restoring peace, but usually ascribed to the controversy on the Catholic question, its pretext and occasion rather than its cause.

The fancy respecting the coronation oath which so entirely obtained possession of George III.'s mind

and actuated his conduct during the whole discussion of Irish affairs, is now generally believed to have been impressed upon it by Lord Loughborough, and probably was devised by his subtle mind, as it was used by his intriguing spirit, for the purpose of influencing the king. But, if this was the object of the notable device, never did intriguer more signally fail in his scheme. The cabinet to which he belonged was broken up; a still more crafty successor obtained both the place he had just quitted in the king's service, and the place he had hoped to fill in the king's favour; he was made an earl, with the title of Rosslyn; he was laid on the shelf; and as his last move, he retired to a villa remarkable for its want of all beauty and all comforts, but recommended by its near neighbourhood to Windsor Castle, where the former Chancellor was seen dancing a ridiculous attendance upon royalty, unnoticed by the object of his suit, and marked only by the jeering and motley crowd that frequented the terrace. For three years he lived in this state of public neglect, without the virtue to employ his remaining faculties in his country's service by parliamentary attendance, or the manliness to use them for his own protection and aggrandizement. When he died, after a few hours' illness, the intelligence was brought to the king, who, with a circumspection abundantly characteristic, asked the bearer of it if he was quite sure of the fact, as Lord Rosslyn had not been ailing before, and, upon being assured that a sudden attack of gout in the stomach had really ended the days of his late servant and once assiduous courtier, his majesty was graciously pleased to exclaim—"Then he has not left a worse man behind him." *

It is the imperative duty of the historian to dwell

* The liberty has been taken to translate the expressive though homely English of royalty into a phrase more decorous and less unfeeling upon such an occasion.

upon the fate, while he discloses with impartial fulness, and marks with just reprobation, the acts of such men; to the end that their great success, as it is called, may not mislead others, and conceal behind the glitter of worldly prosperity the baser material with which the structure of their fortune is built up. This wholesome lesson, and indeed needful warning, is above all required when we are called upon to contemplate a professional and political life so eminently prosperous as the one we have been contemplating, which rolled on in an uninterrupted tide of worldly gain and worldly honours, but was advanced only by shining and superficial talents, supported by no fixed principles, illustrated by no sacrifices to public virtue, embellished by no feats of patriotism, nor made memorable by any monuments of national utility; and which, being at length closed in the disappointment of mean, unworthy desires, ended amidst universal neglect, and left behind it no claim to the respect or the gratitude of mankind, though it may have excited the admiration or envy of the contemporary vulgar.

LORD THURLOW.

THE other helpmate upon whom Gibbon paints the pilot of the state as reposing, was as different a person from Lord Loughborough in all respects as can well be imagined. We refer of course to Mr. Thurlow, who filled the office of Attorney-General until the year 1778, when he took the Great Seal. The remains that have reached us of his exhibitions as a speaker, whether at the bar, in parliament, or on the bench, are more scanty still than those of his colleagues; for, while he sat on the bench, the reports in Chancery were on the meagre and jejune footing of the older books; and it is only over a year or two of his presiding in the Court that Mr. Vesey, junior's, full and authentic reports extend. There seems, however, from all accounts, to have been much less lost of Lord Thurlow than there would have been of subsequent judges, had the old-fashioned summaries only of equity proceedings been preserved; for his way was to decide, not to reason; and, in court as well as in parliament, no man ever performed the office, whether of judging or debating, with a smaller expenditure of argument.

This practice, if it saves the time of the public, gives but little satisfaction to the suitor. The judges who pursue it forget that, to satisfy the parties, or at least to give them such grounds as ought to satisfy reasonable men, is in importance only next to giving them a right judgment. Almost as important is it to satisfy the profession and the country, which awaits to gather the law, the rule of their conduct in advising or in acting, from the lips of the judge. Nor is it immaterial

to the interest even of the party who gains, that the grounds should be made known of his success, especially in courts from which there lies an appeal to a higher tribunal. The consequence of Sir John Leach deciding generally with few or no reasons assigned was, that appeals were multiplied; the successful party had only obtained half a victory; and it became a remark, frequent in the mouths of successive chancellors, that causes were *decided* below, but *heard* before them. It is an unaccountable mistake into which some fall, when they fancy that the more weight is attached to such mere sentences, because prefaced by no reasons; as if the judge were to declare the law, infallible like an oracle, or omnipotent like a lawgiver, and keep to himself all knowledge of the route by which he had arrived at his conclusion. The very reverse is true. With an enlightened bar and an intelligent people, the mere authority of the bench will cease to have any weight at all, if it be unaccompanied with argument and explanation. But were it otherwise the reason would fail, and signally fail; for the only increase of weight derived from the practice would be that to which the judgment had no claim, namely, the outward semblance to the ignorant multitude of a determination more clear and positive than really existed. Add to all this, that no security whatever can be afforded for the mind of the judge having been directed to the different parts of each case, and his attention having been held awake to the whole of the discussions at the bar, still less in equity-proceedings of his having read the affidavits and other documentary evidence, unless he states explicitly the view which he takes of the various matters, whether of law or of fact, that have been brought before him. With the exception of Sir John Leach, Lord Thurlow is the last judge who adopted the very bad practice of unreasoned decisions. But his habit of cavilling at the reasons of the common-law courts, when a case

was sent to them for their opinion, a habit largely followed by Lord Eldon, extended to those courts, in a remarkable and very hurtful manner, Lord Thurlow's own practice: for the temper of those learned individuals became ruffled; and, impatient of criticism upon their reasonings, instead of rather courting a discussion of them, they adopted the evil method of returning their answers or certificates without any reasons at all—a conduct which nothing but the respect due to the bench could hinder men from terming childish in the extreme. This custom having been much censured by succeeding chancellors, and the House of Lords itself having of late years departed altogether from the old rule of only assigning reasons where a judgment or decree is to be reversed or varied upon Appeal, it is to be hoped that the common-law judges will once more deign to let the profession know the grounds of their judgments upon the highly important cases sent from Chancery, as they do without the least fear of cavil or criticism upon any trifling matter that comes before them, and do (be it most reverently observed in passing) with very little desire to avoid either prolixity or repetition.*

If Lord Thurlow, however, has left no monuments of his judicial eloquence, and if, indeed, his place among lawyers was not the highest, he is admitted to have well understood the ordinary practice and leading principles of those courts in which he had passed his life; and his judgments for the most part gave satisfaction to the profession. He had no mean powers of despatching the business of the court, and of the House of Lords when presiding upon appeals; nor could any man in this article resemble him less than the most eminent of his successors, who was understood to have

* This bad practice was afterwards abandoned; but in 1852, a provision of more than doubtful expediency in the Chancery Practice Act, put an end to the practice of sending cases to law.

made him the model in some things of his conversation, garnishing it, after his manner, with expletives, rather sonorous than expressive, but more expressive than becoming. Far from showing, like Lord Eldon, a patience which no prolixity could exhaust, and a temper which was neither to be vexed by desperate argumentation nor by endless repetition—farther still from courting protracted and renewed discussion of each matter, already worn threadbare—Lord Thurlow showed to the suitor a determined, and to the bar a surly, aspect, which made it perilous to try experiments on the limits of his patience, by making it somewhat doubtful if he had any patience at all. Aware that the judge he was addressing knew enough of their common profession not to be imposed upon, and bore so little deference to any other as to do exactly what suited himself—nay, apprehensive that the measure of his courtesy was too scanty to obstruct the overflow in very audible sounds of the sarcastic and peremptory matter which eyes of the most fixed gloom, beneath eye-brows formed by nature to convey the abstract idea of a perfect frown, showed to be gathering or already collected —the advocate was compelled to be select in choosing his topics and temperate in handling them; and oftentimes felt reduced to a painful dilemma better fitted for the despatch than the right decision of causes, the alternative being presented of leaving material points unstated, or calling down against his client the unfavourable determination of the Court. It would be incorrect to state that Lord Thurlow in this respect equalled or even resembled Sir John Leach, with whom every consideration made way for the vanity of clearing his cause-paper in a time which rendered it physically impossible for the causes to be heard. But he certainly more nearly approached that extreme than he did the opposite, of endless delay and habitual vacillation of expression rather than of purpose, upon which Lord Eldon made shipwreck of his judicial reputation, though

possessing all the greater qualities of a lawyer and a judge. In one important particular he and Sir John Leach closely resembled each other, and as widely differed from the other eminent person who has just been named. While on the bench the mind of both was given wholly to the matter before them, and never wandered from it at all. An ever-wakeful and ever-fixed attention at once enabled them to apprehend the merits of each case and catch each point at the first statement; precluded the necessity of much after-consideration and reading, and, indeed, rehearing; and kept the advocate's mind also directed to his points, confining his exertions within reasonable limits, while it well rewarded him for his closeness and his conciseness. The judge's reward, too, was proportionably great. He felt none of that load which pressed upon Lord Eldon when he reflected how much remained for him to do after all the fatigue of his attendance in Court had been undergone; that anxiety which harassed him lest points should escape his reading that might have been urged in the oral arguments he had heard without listening to them; the irritation which vexed him until he had from long use ceased to care much for it, when he looked around him upon the inextricable confusion of his judicial affairs, and, like the embarrassed trader, became afraid to look any more, or examine any closer the details of his situation. If a contrast were to be formed between the ease and the discomfort of a seat upon the bench, as far as the personal feelings of the occupants are concerned, it would hardly be possible to go beyond that which was afforded by Thurlow to Eldon.

Of his powers as a debater there are now no means to form an estimate, except what tradition, daily becoming more scanty and precarious, may supply. He possessed great depth of voice, rolled out his sentences with unbroken fluency, and displayed a confidence both of tone and of assertion which, accompanied by

somewhat of Dr. Johnson's balanced sententiousness, often silenced when it did not convince. For of reasoning he was proverbially sparing: there are those indeed who will have it that he never was known to do anything which, when attended to, even looked like using an argument; although to view the speaker and carelessly to hear him you would say he was laying waste the whole field of argumentation and dispersing and destroying all his antagonists. His aspect was more solemn and imposing than almost any other person's in public life; so much so that Mr. Fox used to say it proved him dishonest, since no man could *be* so wise as he *looked*. Nor did he neglect any of the external circumstances, how trifling soever, by which attention and deference could be secured on the part of his audience. Not only were his periods well rounded, and the connecting matter or continuing phrases well flung in; but the tongue was so hung as to make the sonorous voice peal through the hall, and appear to convey things which it would be awful to examine too near and perilous to question. Nay, to the more trivial circumstance of his place, when addressing the House of Lords, he scrupulously attended. He rose slowly from his seat; he left the woolsack with deliberation; but he went not to the nearest place, like ordinary Chancellors, the sons of mortal men; he drew back by a pace or two, and standing as it were askance, and partly behind the huge bale he had quitted for a season, he began to pour out, first in a growl, and then in a clear and louder roll, the matter which he had to deliver, and which for the most part consisted in some positive assertions, some personal vituperation, some sarcasms at classes, some sentences pronounced upon individuals as if they were standing before him for judgment, some vague mysterious threats of things purposely not expressed, and abundant protestations of conscience and duty, in which they who keep the consciences of Kings are somewhat apt to indulge.

It is obvious that to give any examples that could at all convey an idea of this kind of vamped up, outside, delusive, nay, almost fraudulent oratory, would be impossible. But one or two passages may be rehearsed. When he had, in 1788, first intrigued actively with the Whigs and the Prince upon the Regency question, being apparently inclined to prevent his former colleague, and now competitor, from clutching that prize—suddenly discovering from one of the physicians the approaching convalescence of the royal patient, he at one moment's warning quitted the Carlton-house party, and came down, with an assurance unknown to all besides, perhaps even to himself not known before, and in his place undertook the defence of the King's rights against his son and his partizans. The concluding sentence of this unheard-of performance was calculated to set all belief at defiance, coming from the man and in the circumstances. It assumed, for the sake of greater impressiveness, the form of a prayer; though certainly it was not poured out in the notes of supplication, but rather rung forth in the sounds that weekly call men to the service: "And when I forget my Sovereign, may my God forget me!" Whereupon Wilkes, seated upon the foot of the throne, and who had known him long and well, is reported to have said, somewhat coarsely but not unhappily, it must be allowed, "Forget you? He'll see you d——d first." —Another speech in a different vein is preserved, and certainly shows some powers of drollery. In the same debates, a noble character, who was remarkable for his delicacy and formal adherence to etiquette, having indeed filled diplomatic stations during great part of his life, had cited certain resolutions passed at the Thatched-house Tavern by some great party meeting. In adverting to these, Lord Thurlow said, "As to what the noble Lord told you that he had heard at the ale-house——." The effect of this humour, nearly approaching, it must be allowed, to a practical joke, may

easily be conceived by those who are aware how much more certain in both Houses of Parliament the success of such things always is than of the most refined and exalted wit.—Upon another occasion, his misanthropy, or rather his great contempt of all mankind, broke out characteristically enough. This prevailing feeling of his mind made all respect testified towards any person, all praise bestowed upon men, nay all defence of them under attack, extremely distasteful to him; indeed almost matter of personal offence. So, once having occasion to mention some public functionary, whose conduct he intimated that he disapproved, he thought fit to add, "But far be it from me to express any blame of any official person, whatever may be my opinion: for that, I well know, would lay me open to hear his panegyric." At the bar he appears to have dealt in much the same wares; and they certainly formed the staple of his operations in the commerce of society. His jest at the expense of two eminent civilians, in the Duchess of Kingston's case, is well known, and was no doubt of considerable merit. After those very learned personages had come forth from the recesses where doctors "most do congregate," but in which they divide with their ponderous tomes the silence that is not broken by any stranger footstep, and the gloom that is pierced by no light from without, and appearing in a scene to which they were as strange as its gaiety was to their eyes, had performed alternately the various evolutions of their recondite lore, Mr. Thurlow was pleased to say that the congress of two doctors always reminded him of the noted saying of Crassus—"Mirari se quod haruspex haruspicem sine risu adspicere posset."

In conversation he was, as in debate, sententious and caustic. Discoursing of the difficulty he had in appointing to the Chief-Justiceship, he described himself as long hesitating between the intemperance of Kenyon, and the corruption of Buller; but finally

preferring the former. Then, as if afraid, lest he had for the moment been betrayed into anything like unqualified commendation of any person, he added, correcting himself—"Not that there was not a —— deal of corruption in Kenyon's intemperance."* He had, however, other stores from which to furnish forth his talk; for he was a man of no mean classical attainments; read much Greek, as well as Latin, after his retirement from office; and having become associated with the Whigs, at least in the intercourse of society, passed a good deal of time in the company of Mr. Fox, for whom it is believed that he felt a great admiration, at least, he praised him in a way exceedingly unusual with him, and was therefore supposed to have admired him as much as he could any person, independent of the kind of thankfulness which he must have felt to any formidable opposer of Mr. Pitt, whom he hated with a hatred as hearty as even Lord Thurlow could feel, commingling his dislike with a scorn wholly unbecoming and misapplied.

When he quitted the Great Seal, or rather when Mr. Pitt and he quarrelling, one or other must go, and the former was well resolved to remain, the retired chancellor appeared to retain a great interest in all the proceedings of the court which he had left, and was fond of having Sir John Leach, then a young barrister, to spend the evenings with him, and relate whatever had passed in the course of the day. It seemed somewhat contrary to his selfish nature and contracted habits of thinking, that he should feel any great concern about the course which the administration of justice should take, now that he slumbered upon the shelf. But the mystery was easily explained, by observing that he really felt, in at least its ordinary force,

* This was an instance of his readiness to sacrifice truth to splenetic satire. Whatever might be said of Buller (whose conduct in a political cause tried before him while Mr. Pitt went the circuit really prevented his promotion) Lord K. was altogether pure.

the affection which men long used to office bear towards those who are so presumptuous as to succeed them; and he was gratified by thus sitting as a secret court of revision, hearing of any mistakes committed by Lord Loughborough, and pronouncing in no very measured terms his judgment of reversal upon many things in which the latter no doubt was right.

That his determination and clearness were more in manner than in the real vigour of his mind, there can be no doubt; for though, in disposing of causes, he may have shown little oscitancy, as indeed there seldom arises any occasion for it where a judge is reasonably acquainted with his business, and gives his attention without reserve to the despatch of it, yet, in all questions of political conduct, and all deliberations upon measures, he is known to have been exceedingly irresolute. Mr. Pitt found him a colleague wholly unfruitful in council, though always apt to raise difficulties, and very slow and hesitating of purpose. The Whigs, when he joined them, soon discovered how infirm a frame of mind there lay concealed behind the outward form of vigour and decision. He saw nothing clear but the obstacles to any course; was fertile only of doubts and expedients to escape deciding; and appeared never prompt to act, but ever ready to oppose whoever had anything to recommend. So little, as might be expected, did this suit the restless and impatient vehemence of Mr. Francis, that he described him as "that enemy of all human action."

Of a character so wanting in the sterling qualities which entitle the statesman to confidence and respect, or the orator to admiration, it cannot be affirmed that what he wanted in claims to public favour he made up in titles to esteem or affection as a private individual. His life was passed in so great and habitual a disregard of the decorum that usually fences high station, especially in the legal profession, as makes it extremely doubtful if the grave and solemn

exterior in which he was wont to shroud himself were anything more than a manner he had acquired; for, assuredly, to assert that he wore it as a cloak whereby men might be deceived, would hardly be consistent with his ordinary habits, as remote as well could be from all semblance of hypocrisy; and so far from an affectation of appearing better than he was, that he might almost be said to affect, like the Regent Orleans, the "bad eminence" of being worse.*

* St. Simon relates a saying of Louis XIV., respecting his celebrated nephew, which, he says, paints him to the life, and, therefore, that skilful writer of memoirs is unbounded in his praise of this "trait de plume." "Encore est-il fanfaron des vices qu'il n'a pas."

LORD MANSFIELD.

CONTEMPORARY with these two distinguished lawyers, during the latter period of his life, was a legal personage in every respect far more eminent than either, the first Lord Mansfield, than whom few men, not at the head of state affairs, have in any period of our history filled an exalted station for a longer period with more glory to themselves, or with a larger share of influence over the fortunes of their country. He was singularly endowed with the qualities most fitted both to smooth for him the path to professional advancement, to win the admiration of the world at large, and to maintain or even expand the authority of whatever official situation he might be called to occupy. Enjoying all the advantages of a finished classical education: adding to this the enlargement of mind derived from foreign travel, undertaken at an age when attentive observation can be accompanied with mature reflection; he entered upon the profession of the law some years after he had reached man's estate; and showed as much patient industry in awaiting, by attendance in the courts, the emoluments and the honours of the gown, as he had evinced diligence in qualifying himself for its labours and its duties. His connexion with Scotland easily introduced him into the practice afforded by the appellate jurisdiction of the House of Lords;* and the acci-

* He soon rose to such eminence in this, that his biographer, Halliday, has mentioned him as engaged in thirty appeals during one session. A worse piece of biography than Halliday's, it may be observed in passing, hardly exists, notwithstanding its having so admirable a subject.

dental indisposition of his leader, a few years afterwards, having given him an opportunity of distinguishing himself before a jury, he speedily rose into extensive practice, not, however, so much in Common-Law courts as in Chancery.

Ten years after he entered the profession he was made Solicitor-General and came into parliament, which he had hitherto shunned, observing, with the caution so characteristic of the man and of the nation, "That he had many respected friends on both sides of the House, and did not care to lose the patronage of both parties for the favour of one." If this principle be as great an honour to his public virtue as to his personal discretion, his biographer has done well to record it in proof of the praises which he lavishes upon him; and certainly nothing in the subsequent course of his life can be found which betokens a falling off from the wary circumspection of its outset.

His powers as an advocate were great, though not first-rate. In manner, which he had studied so much that Pope was found one day superintending him while he practised before a looking-glass—in a sweetness of voice which by nature was almost unequalled—in clearness and skill of statement, which he so greatly laboured, that it was said his story was worth other men's argument,—in the wariness and discretion so necessary to one that represents another's interest, as an advocate does his client's,—in knowledge accurate, as far as it went, if not very profound, of the principles of the law; and in an enlarged view of general subjects, whether of jurisprudence or of a more liberal kind—he stood high, either above all his contemporaries, or in their foremost rank. A certain want of vigour, arising from the inroads which his constitutional caution made into the neighbouring dominions of its ally, fear, prevented him from ever filling the first place among advocates; and to anything that deserved the name of genius or of origi-

nality he preferred at no time and in no station any claims. Atkins, his staunch admirer, has preserved, with extreme eulogy, one of his arguments in a case of great importance; it is learned and able, but far from justifying the preference given to it over those of the other counsel, whose arguments in the same cause are also reported.

In the House of Commons it was his fortune to defend the measures of government, when no men of eminence filled the front ranks of the opposition party, excepting Mr. Pitt (Lord Chatham); and the perilous task of encountering him always was reserved for the ministerial chief himself. That he was very successful as an elegant and persuasive speaker, is certain; that he was unequal to fill a first place, at a time when the secret had not been discovered of posting second-rate men in such positions, is as undeniable; and it is known that he felt this inadequacy: for an arrangement was at one period proposed, by which he was to have taken the lead, on the part of the government, and he peremptorily declined it. Indeed, he was both conscious of his power lying in a different direction, and resolved to follow the bent at once of his capacity and his inclination. Accordingly, on the death of Chief Justice Ryder, though much pressed to remain in parliament at a time when the ministry could ill spare him from the Treasury Bench, he distinctly intimated that, if he were not promoted to the place which he considered the Attorney-General's right, he should cease to hold any place; and a hint which was easily understood was wisely taken.

Over that great court he presided above thirty years; and his administration of its functions during this long period shed a lustre alike upon the tribunal and the judge. Although he had chiefly practised in Chancery and the House of Lords, yet his correct legal understanding, his excellent sense, his familiar acquaintance with the general principles of jurispru-

dence, easily and speedily supplied any deficiency which he might have in the practice of the Common-Law Courts, and the proceedings at Nisi Prius; while his whole faculties, his temper, and his manners, down to the very defects which he had betrayed as an advocate, were admirably calculated for his more exalted station. His mind and his habits were, indeed, eminently judicial; and it may be doubted if, taking both the externals and the more essential qualities into the account, that go to form a great judge, any one has ever administered the laws in this country whom we can fairly name as his equal. The greatest clearness of apprehension; quickness sufficient, and not extreme, which, in a judge, is perilous, often allied with impatience, and apt to degenerate into hastiness; admirable perspicuity of statement, whether delivering his opinion to the court and the bar, or giving his directions to a jury; conciseness with clearness; these were the contributions which his understanding made towards the formation of his judicial character. Then he had a constant command of himself, never betrayed into anger, or impatience, nor ever showing spleen or any other breach of strict equality and perfect equanimity, either towards parties or their advocates. To those higher qualities, intellectual and moral, he added the graces of a diction classical and elegant; the ornament and, indeed, the illustration of frequent reference to larger views than the more technical discussion of legal questions requires; and the fascination of a voice singularly flexible and sweet; and he flung over the whole of this fine judicial figure the garb of a manner at once dignified and attractive. They who never had seen Lord Thurlow, might well imagine they had heard him, if they enjoyed access to such excellent imitators as George IV. and Lord Holland. As perfect a substitute for Lord Mansfield's manner was to be found in Lord Erskine, between whom and that celebrated

person there long prevailed a great intimacy founded upon very sincere mutual admiration.

The benefits conferred by this accomplished judge upon the Court where he so long presided, and upon its suitors, were manifold and substantial. He began by at once so regulating the distribution of the business, as to remove all uncertainty of the matters which should be taken up each day, and to diminish both the expense and the delay and the confusion of former times. He restored to the whole bar the privilege of moving in turn, instead of confining this to the last day of the term. He almost abolished the tedious and costly practice of having the same case argued several times over, restricting such rehearings to questions of real difficulty and adequate importance. He gave as many hours to the business both of Banc and of sittings as was required for despatching it without unnecessary delay. The ascendant which he gained both over the Bar and the Bench precluded all needless prolixity of argument, all unseemly wrangling between the Court and the counsel, all inconvenient differences of opinion among the Judges. The result was, that while no time was wasted, great satisfaction was given by the clear and rational grounds upon which the decisions were rested; while the cases were so speedily and so well despatched, that the other Courts of Common Law were drained of their business without the channels of the Court of King's Bench being choked up or overflowing. For nearly thirty years there were not more than half a dozen cases in which the Judges differed, and not so many in which the judgments pronounced were reversed.

But during a considerable period Lord Mansfield also presided in the House of Lords, or, as a legal member of that body, directed its decisions upon appeals. Nothing could be more satisfactory than his conduct of this very important department; nor any-

thing less resembling one at least of his most eminent successors, Lord Eldon, in discharging this duty. He was master of each case when it was called on for hearing, and put the counsel to argue the points which had been made on either side in those expensively prepared printed statements, which Lord Eldon used to treat with the attention due to equal masses of waste paper. But he did not prevent any new points from being raised at the bar, any more than he could wish to prevent any new arguments from being urged in support of the points which the printed cases disclosed. He showed, too, as great firmness and vigour in forming his judgment, although upon questions of foreign law, as he did in expediting the conduct of the arguments, although in the hands of the advocates accustomed to somewhat prolix statements. Where he was clearly convinced that the Scotch Judges had mistaken their own law, he did not scruple to reverse their decisions, and restore the violated purity of the system, although in doing so he assumed to correct those who had made it the study of their lives; even upon heads peculiar to Scottish jurisprudence, to which the English law affords no parallel, and on which he could derive no light at all from his own professional habits. It was he who reversed the decision of the Court of Session upon the celebrated Duntreath case; which, as ruled by him, forms now as much the corner-stone of the Scotch law of entail, as Shelly's case does that of England; and, while all lawyers are now agreed that he was right, it may fairly be doubted whether some of his successors, and especially Lord Eldon, would have ventured to overrule some other judgments in which the Scottish Courts had equally gone astray in applying their own law, had not Lord Mansfield shown the salutary courage which he displayed in that first and most remarkable reversal. It is not easy to overrate the importance of such an able and judicious administration of the powers vested in the

High Court of Appeal. Encumbered as that tribunal is with so many difficulties from the foreign law which it must needs administer, and without those aids from the Judges, which it has at hand upon the far better known and more settled matters of English jurisprudence, nothing can preserve the purity of our judicial system, or retain towards it the respect and affection of the Scottish nation, except a succession of such able, enlightened, and determined Judges as Lord Mansfield in that high Court ever proved himself to be.

Upon all common cases where a Judge can have no possible reason for leaning towards one side rather than another in a country where judicial bribery or solicitation is unknown, no breach of strict justice can ever be committed except through the temper of the individual, or his want of firmness towards particular practitioners. But occasionally there arise questions in our Courts, and especially in the King's Bench, the first criminal tribunal of the realm, where political considerations mix themselves with the trial, and where the result affects party interests or party prejudices—questions, the occurrence of which would have made the placing a Lord Chief Justice in the cabinet a grievous breach of the constitution in 1806, although there had been no other reasons against that most reprehensible proceeding. That Lord Mansfield was no longer the same pattern of living justice, the same *lex loquens* on those occasions, has been very generally affirmed; and although the errors of his enemies, especially of Junius, have been long since exploded, there is little room to doubt that in trials for libel he leant against the freedom of discussion, and favoured those doctrines long current, but now cried down by statute, which withdrew the cognizance of the question from the Jury to vest it in the Court. That he felt the same disgust at newspaper attacks upon individuals, the same dislike of vehement and

unmeasured invectives against the abuses of our institutions, the same alarm at assaults upon the existing institutions themselves, which in all ages have distinguished all our judges, may readily be admitted. Who will pretend, even in our days, far more before Mr. Fox's Libel Act, that Lord Mansfield alone of all judges defined the liberty of the press only as a power of publishing without a previous license? In this, as in all his opinions and prejudices upon the subject, he resembled all other judges of all former times, and with very few exceptions, those also of our own day. But that he should ever betray his prejudices or his feelings in any breach of justice while trying particular cases, would have been eminently inconsistent with the whole tenor of his cautious and circumspect demeanour upon the bench, and have betokened a want of that self-command which in him was so habitual as to have become truly a second nature. His leaning towards the side of authority was once or twice remarked in cases of importance, but cases where both the legal principle and the practice were far from being clearly settled. Thus upon application for a mandamus to the justices to make an order of filiation upon a foreign ambassador's secretary, he somewhat hastily refused it, supposing the motion to be a device for obtaining the court's opinion, and an attempt to draw it into collision with foreign states. This view was manfully resisted by the counsel who moved; and Mr. Justice Yates took part with them. In the end Lord Mansfield gave way, and the remedy was granted as sought. But it must be observed, that the third judge present, Mr. Justice Aston, at first entirely concurred with the Chief Justice, and only changed his opinion upon further consideration, being moved by the reasoning of the dissenting judge. Great objection was likewise taken to his directing a jury, in the case of Lord Grosvenor's action for seduction against the Duke of

Cumberland, that the rank and station of the plaintiff made no difference in his claim to damages; an opinion which, after the greater experience of later times in such proceedings, appears as soon as it is stated to be altogether erroneous, but which, if it favoured the Prince who was defendant on the one hand, certainly indicated, on the other, a sufficient respect for the equal rights of all classes of plaintiffs, and might be as unpalatable to the Aristocracy as it was pleasing to the Crown.

There needs little to be said of what at the time created great discussion in the profession, the judgment which he delivered in the celebrated case of Perrin *v.* Blake. That it was erroneous, no lawyer can doubt; but that it required all the adherence to strict principle of which the most technical mind is susceptible, to apply in such a question the famous Rule in Shelly's case, is equally certain: for in order to make that application, and to consummate the triumph of the Rule, it was necessary for the court to construe a man's will giving an estate "for the life of the devisee, and no longer," as a gift of that estate to him in tail, consequently with the power of at once converting his interest into a fee simple. Although it is impossible to deny that this is the true legal construction of such a devise, if, as in the case of J. Williams's will, the remainder is afterwards given to the heirs of the devisee's body; for to hold otherwise would be to abrogate the rule in Shelly's case, which is both founded on strict legal principles, and has for centuries been the corner-stone of English conveyancing: yet it is fit that we keep in mind the apparent paradox to which it led, in order to account for so great a judge as Lord Mansfield having leant against this application, which he regarded as an extension of the Rule; and from which his wise and wholesome habit of always as much as possible preferring substance to technicality made him deviate.

It must also be observed, that here, as in the former instance, he had the concurrence of his learned brethren, excepting only Mr. Justice Yates; whose difference of opinion led to his leaving the Court of King's Bench, and removing to the Common Pleas for the very short residue of his truly respectable and useful life.* But an accident of a most unimportant kind made more talk in Westminster Hall than all the real merits of either the judges or the cause. It appeared that while at the bar Lord Mansfield's opinion had been taken upon the point raised by this very will, and that he had said, as he ought to have said, "The devisee takes an estate tail and not for life." Surely no one can ever read the remarks of Mr. Booth, Mr. Fearne, and other conveyancers upon this trifling circumstance, and not marvel at their pedantry and captiousness, so little worthy of such learned and able men. What if Mr. Murray's opinion differed from Lord Mansfield's judgment? It would not have proved the judgment wrong; and if the counsellor had given what on more mature deliberation, and after hearing the case argued by all the learning of the bar, the Judge deemed an erroneous opinion, was he to sacrifice his duty of deciding by his conscience at the time, to an unworthy fear of appearing inconsistent? If his opinion had undergone a change, was he not to avow it? Nay, was it any shame to change his opinion upon hearing the subject for the first time fully discussed?

The ridiculous charge brought by Junius and others against his direction to the jury on the Home Circuit, in a case of trespass between two unknown

* This able, learned, and upright judge showed a courage greatly extolled in those times, but which, it is to be hoped, every member of the bench would now display as a matter of course. The Minister having tampered with him in vain previous to some trial involving rights of the Crown, the King was foolish or wicked enough to write him a letter, and he returned it unopened. Alderman Townsend stated this in Parliament, and it was not contradicted.

individuals, and where no possible motive for partiality could be imagined or was ever pretended, we hardly perhaps should mention, were it not an illustration of the outcry which absolute ignorance may sometimes succeed in raising. It was the case of Mears *v.* Ansell, which was tried before him on the circuit, in 1772; and a new trial was granted by the Common Pleas on the ground that the Chief Justice had improperly directed the Jury to credit the testimony of two subscribing witnesses, contrary to their signed attestation. Junius called it "a new disgrace of Mansfield;" and the note to his published letter, with profound ignorance of the whole practice of the courts, mentioned it as a proof of extraordinary dissatisfaction with the summing up, that the new trial was granted without the payment of costs; adding, "that the usual terms were thus dispensed with." The same *learned* note adds, that the plaintiff's attorney moved the next term to have his name struck off the Roll of the King's Bench attorneys, and that "he was immediately admitted into the Common Pleas;" a mere matter of course, as every one but Junius must have known.

As to Junius's charge of illegal conduct in bailing a felon taken with the mainour, his celebrated letter betrays as great ignorance of the most commonly known matters of law (*e. g.* that Justices of Peace are at sessions Judges of Record, and are King's justices) as it does confusion in argument, and vacillation through legal ignorance, and uncertainty about the grounds on which he rests his charge. Indeed, he himself shifted them in defending his first argument; and it was at the time universally allowed that he was altogether in the wrong. Lord Camden was said at first to have agreed with him, but that he abandoned so untenable a ground is plain from his never once, though called upon, venturing to touch the subject. But when he had valiantly denounced impeachment against the Chief Justice for this bail

case, much after the manner of Cobbett and others in after times, this writer charged him with gross partiality in reversing the decree against Lord Chatham upon the suit arising out of the Burton Pynsent devise; and after this reversal had been so audaciously ascribed to corrupt favour, towards his political antagonist too, when the matter was examined, it was found that the Commissioners of the Great Seal had only considered one point, and on that had made their decree, whereas there remained another point decisive of the matter which way soever the former might be determined. Upon this new point the Judges were consulted, and upon this they were unanimous for the appeal, although upon the others they differed; so that a reversal of the decree was almost a matter of course, and it was much rather the act of the Judges than of Lord Mansfield. Junius being overthrown by this plain and incontrovertible statement, had the courage to treat it as a quibble only worthy of a barrister (Letter LXIII.), although he had himself before explicitly said, that he was at issue with Lord Mansfield's defenders on the question whether or not he (Lord Mansfield) had given any opinion on the case in the House of Lords, and "that this was a question of fact to be determined by the evidence only." (Letter LXI.)

These things are far indeed from being unimportant. They effect essentially the question of judicial reputation. They show upon what kind of grounds the fabric of a great man's professional fame as well as the purity of his moral character, were assailed by the unprincipled violence of party at the instigation of their ignorance, skulking behind a signature made famous by epigrammatic language and the boldness of being venturesome in the person of a printer, who gained by allowing dastardly slander to act through him with a vicarious courage. They tend to reduce the estimate of such an author's value as much as they raise the reputation of those whom, from his lurking place, he

had assailed; and they read a memorable lesson to the people, if upon such subjects the people ever can be taught, not to repose confidence in those who are unknown against men whose whole lives are passed in the face of open day, and under the constant security of personal responsibility. Nor let it be forgotten upon what flimsy pretences the country was required to embark in a persecution of Lord Mansfield. Nor let it cease to be remembered that upon such grounds as we have been surveying the most popular writers of the day were suffered to call him "cowardly"—"cunning"—"dishonest"—"a juggler"—"a bad man and a worse judge"—"a creature at one time hateful, at another contemptible"—"one meriting every term of reproach and every idea of detraction the mind can form"—"a cunning Scotchman who never speaks truth without a fraudulent design"—"a man of whom it is affirmed, with the most solemn appeal to God, that he is the very worst and most dangerous man in the kingdom."*

But it turned out afterwards that the same anonymous writer who while he wore the mask of Junius, almost ever praised Lord Chatham, had under other disguises assailed him as bitterly as he had his antagonists; and his rancorous abuse of the great patriot does all but outstrip his slanderous assaults upon the venerable judge. He (Lord Chatham) is described as "not a man of mixed character, whose vice might be redeemed by some appearance of virtue and generosity, but a man purely and perfectly bad." It is said we may easily foretell "the progress of such a traitor, and the probable event of his crimes," since he led "a life of artifice, intrigue, hypocrisy, and impudence;" a career "which equally violates every principle of honour and morality"—"an abandoned profligate"—"so black a villain, that though we have no Tarpeian rock, yet a gibbet is not too honourable a situation for

* Junius's Letters, xli. lix. lxiii. lxix.

the carcase of a traitor"—"a base apostate"—"the stalking horse of a stallion" (Lord Bute)—"below contempt"—"a venomous reptile"—"a lunatic"—and "a raving madman."* The great gravamen too of these charges against him is his leaning towards the Americans, of whom the furious shallow and conceited writer was a bitter and intemperate opponent, as he was a bigoted advocate of the mother-country's tyranny.

It may surely be said with justice, that such disclosures as these, while they reduce to their true level the claims of Junius to fame, easily account for the author having died and kept his own secret. He appears to have been a person in whose bosom every fierce and malignant passion raged without the control of a sound judgment and without any kindly feeling to attemper his nature. Writing at a time when good or even correct composition was little studied, and in the newspapers hardly ever met with, his polished style, though very far from being a correct one, and farther still from good pure English, being made the vehicle of abuse, sarcasm, and pointed invective, naturally excited a degree of attention which was further maintained by the boldness of his proceedings. No man can read a page of any letter without perceiving that the writer has but one way of handling every subject, and that he constructs his sentences with the sole design of saying the most bitter things he can in the most striking way, without ever regarding in the least degree their being applicable or inapplicable to the object of the attack. The consequence is, that the greater part of his invective will just suit one bad man or wicked minister as well as another. It is highly probable that whoever he might be, he had often attacked those with whom he lived on intimate terms, or to whom he was under obligations. This affords an additional reason for his dying unrevealed. That

* Miscellaneous Letters, published by Woodfall (1814), vol. ii.

he was neither Lord Ashburton, nor any other lawyer, is proved by what we have said of his gross ignorance of law. To hold that he was Mr. Francis is libelling that gentleman's memory; and although much external evidence concurs in pointing towards him, he certainly never wrote anything of the same kind in his own character.

But those charges made against Lord Mansfield's judicial conduct were definite and precise. Others were urged of a kind so vague, that it was impossible distinctly to apprehend or pointedly to meet them. He was accused of encroaching upon the certainty of the common law, by making his views bend to general notions of substantial justice. That he was always anxious to get at the body of the case, and deal with it so as to give merited success to undoubted right is admitted; and in sometimes neglecting the dictates of technical rules, when they obstructed his path towards substantial justice, he might possibly overlook the great advantages of having a fixed rule applicable to all cases, advantages well worth the unavoidable price which must be paid for them in the occasional hardship, or even apparent absurdity, that may attend their inflexible application. But when the same objection is advanced to his introducing rules universally applicable, and choosing those which are more consistent with common sense and liberal feeling than with merely technical analogy, we are bound to turn from the criticism with indignation. By this course he was improving our jurisprudence, and not encroaching upon its principles; nor was the certainty of the law in any way impaired by establishing its rules upon an enlarged basis.

That he was fond of drawing over equitable notions from the Courts in which he had been chiefly trained, and applying them to the consideration of legal matters, is the same objection in another form. Some of the most valuable portions of our common-law

remedies are derived from Equity; witness the action for money had and received, and indeed the action of *Indebitatus assumpsit* generally: and special pleaders who never saw a bill or an answer, but when they were used in evidence at *nisi prius*, such men as Mr. Justice Chambre, (among the first ornaments of his profession, as among the most honest and amiable of men,) have shown their sense of the advantage thus gained to the common law by reminding other but less learned men, like Lord Chief Justice Gibbs, of this circumstance, when they grounded their argument upon the position that the point they were attacking was one of an equitable, and not of a legal consideration. As for the clamour (and it was nothing more than clamour, and ignorant clamour, too) that Lord Mansfield was making the old Saxon principles of our jurisprudence bend to those of the Civil Law, it is wholly marvellous that men of any understanding or education should have ever been found so much the slaves of faction as to patronize it. Lord Mansfield at no period of his life ever had, or could have had, the least predilection for the civil law, arising from any familiarity with its institutions. He never was a Scotch advocate at all; or if he was, it must have been in the cradle, for he left Scotland at three years of age. With the Consistorial Courts, if by their practice the Civil Law is meant, he had necessarily very little intercourse.* Chancery has nothing to do with that system unless in so far as it prefers the bad practice of written depositions to *vivâ voce* examinations; and also in so far as every rational system of jurisprudence must necessarily have much in common with the most perfect structure that ever was formed of rules for classifying rights and marshalling the

* It would, in our times, have been impossible for him to have any practice at all in these courts unless in cases of appeal, formerly before the Delegates, now in the Privy Council. But when Lord Mansfield was at the bar, it was the custom for common lawyers to attend important cases in Doctors' Commons. This, however, was of rare occurrence.

remedies for wrongs. Nor can anything be found in all the train of his decisions which betokens more leaning towards the Roman code than a regard for the enlarged and universal principles of abstract justice sanctioned, if it did not prescribe. Yet could the most popular writers of the day, those, too, whose pretensions even to legal learning were the most obtrusive, denounce the Chief Justice as engaged in a deliberate plot to reduce slavery to system, "by making the Roman code the law of nations, and the opinion of foreign civilians his perpetual theme," after the example of "the Norman lawyers, who made the Norman Conquest complete;" and as thus "corrupting by such treacherous arts the noble simplicity and free spirit of our Saxon laws."* Ignorance cannot surely go beyond this point. The civil law only became hostile to liberty through the imperial portion of it introduced by the Emperors, and which made the will of the Prince the law of the land. In no other particular is it at variance with freedom; and who ever dreamt that Lord Mansfield had the power of introducing that portion, let his inclination have been ever so much bent in such a direction?

But this topic leads us to the political charges which were brought against this great magistrate. Unfortunately for his fame as well as for his tranquillity, he continued to mix in politics after he ceased to be in the service of the crown as an advocate. He not only acted as Speaker of the House of Lords for above a year, but for a much longer time he had a seat in the cabinet, and took a part in the business of government, all the more objectionable in his position, that it was much more active than it was open and avowed.

While the Great Seal was in commission previous to Lord Bathurst's obtaining it as Chancellor, Lord Mansfield was, to all political intents and purposes,

* Junius's Letters, No. xli.

the Chancellor, without having the responsibility of that high office: nor did he less act as the legal adviser of the government, when that worthy, but somewhat feeble individual, more ostensibly filled the place. The vice of the Chief Justice's character was a want of boldness, that made him shrink from personal responsibility. Hence he never would accept the first station in the law; and hence, too, he was believed to have urged or advised many things, which he either had opposed or had only passively suffered; for, when once a statesman acquires the evil reputation of shunning responsibility while he seeks power, there is no preventing the world from tracing every mischief to a source which appears to hide itself only because there is something to conceal.

The same want of nerve more than once appeared in his judicial proceedings. When Lord Camden, a man inferior to him in everything but courage, openly attacked his libel law in Woodfall's case, and dared him to defend it, he contented himself with saying, "He would not answer interrogatories." He afterwards challenged Lord Camden to meet him and argue the question; and when Lord Camden named his day, he refused to debate it. He then had the Lords summoned to hear the matter discussed; and he came down and had the house precipitately adjourned, after giving in a paper to the clerk, containing a note of the Opinions of the Judges. When asked if he meant to have it taken into consideration by the house, and would move accordingly, he said, "Oh no; he only meant to give the peers an opportunity of seeing, and, if they chose, taking copies of the note." When desired to say if he would have it entered on the journals, his answer again was, "No, only to leave it with the clerk." We may venture to affirm that no such course of proceeding could safely be pursued by the boldest judge of our own day, or would be resorted to by the most timid. We may

also form an opinion from such conduct in that great judge, how very different a line he would have taken in such a struggle with the Commons, as his honest and patriotic successor has lately been engaged in, had he lived in these times of high parliamentary pretension.

If we possess hardly any remains of Lord Mansfield's speeches at the bar or in parliament, we have considerable materials from which to form an estimate of his judicial eloquence. The Reports of Sir James Burrows are carefully corrected, to all appearance; probably by the learned Judges themselves. Many of the judgments of the Chief Justice are truly admirable in substance, as well as composition; and upon some of the greater questions, his oratory rises to the full height of the occasion. It would be difficult to overrate the merit of the celebrated address to the public, then in a state of excitement almost unparalleled, with which he closed his judgment upon the application to reverse Wilkes's outlawry. Great elegance of composition, force of diction, just and strong but natural expression of personal feelings, a commanding attitude of defiance to lawless threats, but so assumed and so tempered with the dignity which was natural to the man, and which here, as on all other occasions, he sustained throughout, all render this one of the most striking productions on record. The courage, however, rested mainly, if not entirely, in the tone and the words; for after disposing of the argument, and on all the grounds taken at the bar refusing the reversal, he arrives, by a short and unexpected byeway, at the means of granting Mr. Wilkes's application; and he was therefore well aware all the while that he was reversing the accustomed relation of the *suaviter* and the *fortiter;* nor could be said to do otherwise than couch in the language of rebuke and refusal a full compliance with the popular demands.

His character in private life was unimpeachable. He never had any children, but his domestic virtues were without a stain. His choicest relaxation was in the polished society of literary men and lovers of the arts; and his powers of conversation are extolled in all the traditions that have reached the present age, as of a very high order. That his manners were polished and winning can easily be believed from the impression his public appearances uniformly made. But when to these were added his great and various knowledge, chiefly of a kind available to the uses of society, his cheerful spirits and mild temper, his love of harmless pleasantry, and his power of contributing towards it by a refined and classical wit, it is not difficult to understand what the reports mean which unite in describing him as fascinating beyond almost all other men of his time. Through a vigorous constitution, upon which no excess of any kind, in mind or in body, had ever made inroads, he lived to an extreme old age, dying from exhausted nature when near ninety. He presided in court regularly till he reached his eighty-second year, and resigned formally in his eighty-fourth, having continued to hold his high office for two or three years longer than he ought to have done or could discharge its duties, in the hope of prevailing with the ministry to appoint his favourite Judge Buller his successor. But Mr. Pitt, while at the bar, had seen things in that able and unscrupulous magistrate which made him resolve that no such infliction should fall on the English bench; and it is to his virtuous resolution that the preference of Lord Kenyon was due, which Lord Thurlow always arrogated to himself.

It has become the more necessary to dwell at some length upon the history of this great man, because a practice has prevailed of late years in the profession which he adorned, and even upon the bench which he so much more than any of his predecessors illus-

trated, of treating him with much less respect than is his due. The narrow minds of little men cannot expand even to the full apprehension of that excellence with which superior natures are gifted, or which they have by culture attained. They are sufficiently susceptible, however, of envious feelings to begrudge virtue the admiration which it has justly earned; and jealous that any portion of applause should be drawn away from the puny technicalities of their own obscure walk, they carp at some trifling slips which may have been made in the less weighty matters of the law, the only portions their understandings can grasp. It has thus grown into a kind of habit with some men, very respectable in their own department, to decry Lord Mansfield as no lawyer, to speak lightly of his decisions, and to gratulate themselves that he did not intrude yet greater changes into our legal system by further departure from strict rules. But a more enlarged view even of the rigorous doctrines of our jurisprudence, will at once brush these cavils away, and show the truth of a position ever denied by the vulgar, both gowned and ungowned, that great minds may be as correct in details, as powerful to deal with the most general principles.

LORD CHIEF JUSTICE GIBBS.

Of the class of the inferior though able men to whom we have just referred, the late Sir Vicary Gibbs was certainly among the most eminent; and he had all the perfections of the order, and more than the ordinary share of its faults. It is a great error, committed only by those who view them from afar off, to imagine that their learning is of a confined nature, either in their own profession or in other branches of education. They are in no respect mere special pleaders, or men familiar only with the practice of the courts. They are even in some respects not to be termed mere lawyers. They are acquainted with the whole of the law, which they have studied accurately, and might also be admitted to have studied profoundly, if depth can be predicated of those researches, which, instinctively dreading to penetrate the more stubborn and more deep-lying vein of first principle, always carry the labourer towards the shallower and softer bed that contains the relics of former workmen, and make him rest satisfied with these patterns as the guide and the rule. All that has been said or written, however, by text men or by judges, they know; and of it all, much practice has given them great expertness in the application. Then their education has not been confined to mere matter of law. It has indeed been far from a very enlarged one; nor has it brought them into a familiar acquaintance with the scenes which expand the mind, make it conscious of new powers, and lead it to compare, and expatiate, and explore. Yet has this course of instruction not been without its value;

for they are generally well versed in classical literature, and often acquainted with mathematical science. From the one, however, they derive little beside the polish which it communicates and the taste which it refines; from the other, they only gain a love of strict and inflexible rules, with a disinclination towards the relaxation and allowances prescribed by the diversities of moral evidence. From both they gather a profound deference for all that has been said or done before them, an exclusive veneration for antiquity, and a pretty unsparing contempt for the unlettered and unpolished class which form and ever must form the great bulk of mankind in all communities. A disrespect for all foreign nations and their institutions has long been another appointed fruit of the same tree; and it has been in proportion to the overweening fondness for everything in our own system, whether of polity or of mere law. The long interruption of all intercourse with the continent during the late war had greatly increased these narrow and absurd prejudices, which are now somewhat more nearly brought back to their ancient level. But still the precise dictates of English statutes, and the dicta of English judges and English text-writers, are with them the standard of justice; and in their vocabulary, English law is as much a synonyme for the perfection of wisdom as, in that of Dean Swift's imaginary kingdom, Houynhm was for the "perfection of nature."

Of lawyers who belong to this class, by far the most numerous in the profession, it is also a great mistake to suppose that the talents are confined to mere legal matters, the discussion of dry points, and the conduct of suits according to technical rules. Many of them are subtle and most able arguers; some even powerful reasoners. As admirable a display of logical acumen, in long and sustained chains of pure ratiocination, is frequently exhibited among their ranks as can be seen in the cultivators of any department of rhetoric, or the

students of any branch of science. They often make high pretensions to eloquence, and, without attaining its first rank, are frequently distinguished for great powers of speech, as well as extraordinary skill in the management of business. Their legal reputation, however, is the chief object of their care; and in their pursuit of oratory, they aim far more at being eloquent lawyers than orators learned in the law. Hence their estimate of professional merit is all formed on the same principle, and graduated by one scale. They undervalue the accomplishments of the rhetorician, without despising them; and they are extremely suspicious of any enlarged or general views upon so serious a subject as the law. Change, they with difficulty can bring their minds to believe possible; at least any change for the better: and speculation or theory on such matters is so much an object of distrust, or rather of mingled contempt and aversion, that when they would describe anything ridiculous, or even anomalous in the profession, they cannot go beyond what they call "a speculative lawyer." To expect success in such a one's career was formerly thought absurd. But the great triumph of Sir Samuel Romilly was a sore stumbling-block to technical minds. A free-thinker upon legal matters, if ever any existed; accomplished, learned, eloquent, philosophical; he yet rose to the very head of his profession, and compelled them to believe what Erskine had failed to make them admit—that a man may be minutely learned in all the mere niceties of the law, down to the very meanest details of court practice, and yet be able to soar above the higher levels of general speculation, and to charm by his eloquence, and enlighten by his enlarged wisdom, as much as to rule the Bench and head the Bar by his merely technical superiority.

The professional character of the men whom we are discussing is generally pure and lofty; the order to

which they belong is sacred in their eyes; its fame, its dignity, even to its etiquette, must all be kept unsullied; and whatever may be their prejudices and their habits, political or professional, how great soever their deference to power, how profound their veneration for the bench, how deep-rooted their attachment to existing institutions, how fierce their hostility to all innovations, how grave or how scornful their frown upon the multitude at large, yet is their courage undaunted in defending whatever client may entrust his suit to their patronage, be he a rabble-leader or a treason-monger, a libeller or a blasphemer; and in discharging towards him the high duties of their representative character, they so little regard either the resentment of the government or the anger of the court, that they hardly are conscious of any effort in sacrificing every personal consideration to the performance of their representative, and because it is representative, their eminently important office.

Of the men whom we have now endeavoured to pourtray as a class, Sir Vicary Gibbs was a perfect sample. Endowed by nature with great acuteness and an unlimited power of application, he became, to use his own somewhat unseemly expression, towards as considerable a man as himself, and a far more amiable one,* "as good a lawyer as that kind of man can be." Disciplined by an excellent classical education, the fruits of which stuck by him to the last, and somewhat acquainted with the favourite pursuits of Cambridge men, his taste was always correct, and his reasoning powers were as considerable as they ever can be in a mind of his narrow range. To eloquence he made only moderate pretensions; yet was his language, which gurgled out rather than flowed, often happy, always clear and transparent, owning a source sufficiently pure, if somewhat shallow, and conveying

* Mr. Justice Bayley.

ideas not numerous, not original, not fetched from afar, not brought up from the lower beds of the well, yet suited to each occasion, well under control, and made easily accessible to others in the same proportion in which they were correctly apprehended by himself. His legal arguments were often much to be admired. He did not go by steps, and move on from point to point, garnishing each head with two observations, as many citations, and twice as many cases; so that the whole argument should be without breadth or relief, and each single portion seem as much as any other the pivot upon which the conclusion turned—but he brought out his governing principle roundly and broadly; he put forward his leading idea by which the rest were to be marshalled and ruled; he used his master-key at once, and used it throughout, till he had unlocked all the apartments by which he mounted to the Great Chamber, and he left the closets untouched, that they who followed him might, if they chose, waste their time in picking the locks, or lose their way in the dark bye-passages. It might be said of him, as he said himself of Sir James Mansfield, that "he declared the law," while he argued his cases; and while others left only the impression on the hearer that many authorities had been cited, and much reading displayed, his argument penetrated into the mind, and made it assent to his positions, without much regarding the support they found from other quarters. But he was also a very considerable person at *Nisi Prius*. His correct and easy knowledge of all legal matters was here by no means his only superiority. He was ready in dealing with evidence; he could present to the Jury the facts of his case boldly and in high relief. Though he was wholly unable to declaim, and never dreamt of addressing the feelings or the passions, any more than if he were speaking to mummies without any sensation, much less any feelings or passions to address; yet he could,

especially when clothed with the dignity of high official station, deliver himself with considerable emphasis, though without any fluency, and could effect the purpose of impressing the facts upon the jury's mind, by the same strong and even choice phrases, sparingly used, though coming out with little flow of words, and no roundness of period, which we have remarked among the characteristics of his arguments to the court upon the law. Those who heard his cross-examination of Colonel Wardle, in the prosecution of Mrs. Clarke, and who understood the real circumstances in which the concerted cross-examination of Major Glenie and Captain Dodd was conducted by Mr. Garrow, could be at no loss in greatly preferring the former display of professional skill and energy. Nor was his address to the jury less remarkable for energy and for skill. It was a case indeed in which his whole feelings were strongly embarked; he had defended the Duke of York with much ability of a professional kind in the House of Commons, where other influences than that of pure reason were very prevalent; and he rejoiced to meet upon his own ground the adversaries whom he had failed to defeat upon theirs.

The Treason Trials of 1794 were the occasion of this able barrister first being introduced to public notice, and they accelerated his professional rise, although he had already been made secure of great success. He was second counsel to Mr. Erskine,* as Mr. Erskine had been in Lord George Gordon's case to Mr. Kenyon, afterwards Lord Chief Justice. But

* There was a third, on account of the extreme labour cast upon the counsel; and, by a kind of connivance, the Court permitted this, although the statute of William III. only allows two, while the Crown had above half a dozen. This third was Mr., afterwards Baron, Gurney, a warm friend of civil and religious liberty, and of that highly respectable and useful family to whom the art of stenography and the history of public proceedings owes much: and whose steady and honest adherence to their principles covers them with honour.

although Mr. Gibbs's summing up the evidence was allowed, on all hands, to be a masterly performance, and of very signal service to the case, the overwhelming genius of his great leader so far eclipsed him, that while, in 1780, no one spoke of the chief, but all admiration was reserved for the second in command, in 1794 the leader alone was mentioned, and the important contribution made by the junior to the mighty victory escaped all but professional observation. In Westminster Hall, however, it was estimated at its real worth; and, notwithstanding his narrow-minded notions on political matters, his slavish adherence to the Tory party, his bigoted veneration for existing things, and hatred of all disaffection, or even discontent, the courage and perseverance which he displayed throughout that trying scene, both towards the government whom he was defeating in their frantic scheme, and towards the court whom he was constantly joining his leader to beard, was not surpassed by the technical ability which he showed,—nay, was not exceeded even by the manly boldness which won for that leader the most imperishable of all his titles to the admiration and gratitude of mankind.

The general narrowness of Sir Vicary Gibbs's mind has been marked; but on the side of vanity and self-conceit it was out of proportion to its dimensions in other parts. It always seemed as if no one could do anything to please him, save one individual; and *his* performances were rated at the most exorbitant value. Nay, the opinion of that favoured personage he estimated so highly, that there always lay an appeal to him from the bench, as well as from every other authority; and it was sometimes truly laughable to observe the weight which he attached to a single sentence or a word from one with whom he was ever so entirely satisfied. On a certain trial he had occasion to mention some recent victories of Lord Wellington's army

in the Peninsula, and had named three battles with praise not very lavish, because every word was deemed of inestimable value, but had omitted Busaco; he corrected himself very ostentatiously, and went back to include that fight, with the feeling manifest to all who heard him, that real and irreparable, possibly fatal injury would be done to the troops, had the momentary omission unhappily not been supplied. When he came among the heads of the law, whether in his own court or at occasional meetings of the twelve, even while junior puisne judge, he arrogated the place and deference due to the chief of the whole; and when he was made first Chief Baron, and afterwards Chief Justice, there were no bounds to his contempt for all the opinions of all his brethren, although it is an undeniable fact that he was not nearly so much distinguished for the soundness of his opinions upon the bench as he had been for the excellence of his arguments at the bar. In trials at *Nisi Prius* he was distinguished for the little and peevish temper which predominated in him, often to the seeming injury of his judgment, almost always to the detriment of his judicial powers; and so absolutely was he persuaded of his own universal capacity, and the universal unfitness of others, that it was no uncommon thing for him to ask, somewhat roughly, for a counsel's brief, that he might see what was intended to be stated; then lecture the attorney who had prepared it; soon after the witnesses; and down to the officers of the court, whose functions of keeping silence and order he would occasionally himself undertake to perform. So that it was not an uncommon remark that the learned Chief Justice was performing at once, in his own person, the offices of judge and jury, counsel for both parties, attorneys for both, witnesses on both sides, and crier of the court. To the same conceited spirit was owing his much graver offence of parading rash opinions upon branches of the law with which the previous

habits of his life had never brought him very familiarly acquainted, and even of forming hasty judgments upon matters to which he was more accustomed. Certain it is, that there were decisions, both of his own at *Nisi Prius* and afterwards of the Court in Banc, which he persisted in forcing upon his brethren, and which do little credit to any of the parties concerned in them.

The survey which has just been taken of this eminent counsellor does not show him as filling the highest places in his profession; and yet if we follow him into the House of Commons, the falling off is very great indeed. There he really had no place at all; and feeling his nullity, there was no place to which he was with more visible reluctance dragged by the power that office gives the government over its lawyers. He could only obtain a hearing upon legal questions, and those he handled not with such felicity or force as repaid the attention of the listener. He seldom attempted more than to go through the references from one act of parliament to another; and though he was doing only a mechanical work, he gave out each sentence as if he had been gifted and consulted like an oracle, and looked and spoke as if when citing a section he was making a discovery. When Mr. Perceval was shot, his nerves, formerly excellent, suddenly and entirely failed him; and he descended from the station of Attorney-General to that of a Puisne Judge in the Common Pleas.

Of his political prejudices, which were quite intolerant and quite sincere, mention has already been made. To the cause of reform, in all shapes and under what name soever, he was the bitter enemy. Towards all who indulged in free discussion, whether of measures or of men, he was an implacable adversary. The Press, therefore, engaged a large share of his dislike; and under the combined influence of exasperation and alarm he filed so many *ex officio* informations

in a few months, that no two attorney-generals ever in a long course of years loaded the files of the court with as many. It was his truly painful fortune that, as most of these regarded the attacks on the Duke of York, he was compelled soon to withdraw them all; while in several of the others he was defeated; and partly by his excessive use of the power, partly by his failure in the exercise of it, he had the agony, to him most excruciating, of being signally defeated in his attempts to crush the press, and of causing all the discussions of the *ex officio* power which first brought it into hatred and then into disuse.

This is that successful barrister, that skilful special pleader, that acute lawyer on common points, that dexterous and expert practitioner, (for all this he was, as certainly as he was a little-minded man)—this is he whom the men that contemn Lord Erskine, and look down upon Lord Mansfield, and would fain, if they durst, raise their small voices against Sir Samuel Romilly, hold up as the pattern of an English lawyer.

SIR WILLIAM GRANT.

If from contemplating the figure of the eminent though narrow-minded lawyer whom we have been surveying, we turn to that of his far more celebrated contemporary, Sir William Grant, we shall find, with some marked resemblances, chiefly in political opinions and exaggerated dread of change, a very marked diversity in all the more important features of character, whether intellectual or moral. We have now named in some respects the most extraordinary individual of his time—one certainly than whom none ever better sustained the judicial office, though its functions were administered by him upon a somewhat contracted scale—one than whom none ever descended from the forum into the senate with more extraordinary powers of argumentation, or flourished there with greater renown. It happened to this great judge to have been for many years at the bar with a very moderate share of practice; and although his parliamentary exertions never tore him away from his profession, yet his public character rested entirely upon their success until he was raised to the bench.

The genius of the man then shone forth with extraordinary lustre. His knowledge of law, which had hitherto been scanty and never enlarged by practice, was now expanded to whatever dimensions might seem required for performing his high office: nor was he ever remarked as at all deficient even in the branch most difficult to master without forensic habits, the accomplishments of a case-lawyer; while his familiarity with the principles of jurisprudence and his knowledge

of their foundations were ample as his application of them was easy and masterly. The Rolls Court, however, in those days, was one of comparatively contracted business; and, although he gave the most entire satisfaction there, and in presiding at the Privy Council in Prize and Plantation Appeals, a doubt was always raised by the admirers of Lord Eldon, whether Sir William Grant could have as well answered the larger demands upon his judicial resources, had he presided in the Court of Chancery. That doubt appears altogether unfounded. He possessed the first great quality for despatching business (the "*real*" and not "*affected despatch*" of Lord Bacon), a power of steadily fixing his attention upon the matter before him, and keeping it invariably directed towards the successive arguments addressed to him. The certainty that not a word was lost deprived the advocate of all excuse for repetition: while the respect which his judge inspired checked needless prolixity, and deterred him from raising desperate points merely to have them frowned down by a tribunal as severe as it was patient. He had not indeed to apprehend any interruption—that was a course never practised in those days at the Rolls or the Cockpit; but while the judge sat passive and unmoved, it was plain that though his powers of endurance had no limits, his powers of discriminating were ever active as his attention was ever awake: and as it required an eminent hardihood to place base coin before so scrutinizing an eye, or tender light money to be weighed in such accurate scales as Sir William Grant's; so few men ventured to exercise a patience which yet all knew to be unbounded. It may, indeed, be fairly doubted whether the main force of muscular exertion, so much more clumsily applied by Sir John Leach in the same court to effect the great object of his efforts—the close compression of the debate—ever succeeded so well, or reduced the mass to as small a bulk as the delicate hydraulic press of

his illustrious predecessor did, without giving the least pain to the advocate, or in any one instance obstructing the course of calm, deliberate, and unwearied justice.

The court in those days presented a spectacle which afforded true delight to every person of sound judgment and pure taste. After a long and silent hearing—a hearing of all that could be urged by the counsel of every party—unbroken by a single word, and when the spectator of Sir William Grant (for he was not heard) might suppose that his mind had been absent from a scene in which he took no apparent share, the debate was closed—the advocate's hour was passed—the parties were in silent expectation of the event—the hall no longer resounded with any voice—it seemed as if the affair of the day, for the present, was over, and the Court was to adjourn or to call for another cause. No! The judge's time had now arrived, and another artist was to fill the scene. The great Magistrate began to pronounce his judgment, and every eye and every ear was at length fixed upon the bench. Forth came a strain of clear unbroken fluency, disposing alike, in most luminous order, of all the facts and of all the arguments in the cause; reducing into clear and simple arrangement the most entangled masses of broken and conflicting statement; weighing each matter, and disposing of each in succession; settling one doubt by a parenthetical remark; passing over another difficulty by a reason only more decisive that it was condensed; and giving out the whole impression of the case, in every material view, upon the judge's mind, with argument enough to show why he so thought, and to prove him right, and without so much reasoning as to make you forget that it was a judgment you were hearing, by overstepping the bounds which distinguished a Judgment from a Speech. This is the perfection of Judicial Eloquence; not avoiding argument, but confining it

to such reasoning as beseems him who has rather to explain the grounds of his own conviction, than to labour at convincing others; not rejecting reference to authority, but never betokening a disposition to seek shelter behind other men's names, for what he might fear to pronounce in his own person; not disdaining even ornaments, but those of the more chastened graces that accord with the severe standard of a judge's oratory. This perfection of judicial eloquence Sir William Grant attained, and its effect upon all listeners was as certain and as powerful as its merits were incontestable and exalted.

In parliament he is unquestionably to be classed with speakers of the first order. His style was peculiar; it was that of the closest and severest reasoning ever heard in any popular assembly: reasoning which would have been reckoned close in the argumentation of the bar or the dialectics of the schools. It was, from the first to the last, throughout, pure reason and the triumph of pure reason. All was sterling, all perfectly plain; there was no point in the diction, no illustration in the topics, no ornament of fancy in the accompaniments. The language was choice—perfectly clear, abundantly correct, quite concise, admirably suited to the matter which the words clothed and conveyed. In so far it was felicitous, no farther; nor did it ever leave behind it any impression of the diction, but only of the things said; the words were forgotten, for they had never drawn off the attention for a moment from the things; those things were alone remembered. No speaker was more easily listened to; none so difficult to answer. Once Mr. Fox, when he was hearing him with a view to making that attempt, was irritated in a way very unwonted to his sweet temper by the conversation of some near him, even to the show of some crossness, and (after an exclamation) sharply said, "Do you think it so very pleasant a thing to have to answer a speech like

THAT?" The two memorable occasions on which this great reasoner was observed to be most injured by a reply, were in that of Mr. Wilberforce quoting Clarendon's remarks on the conduct of the judges in the Ship Money Case, when Sir William Grant had undertaken to defend his friend Lord Melville; and in that of Lord Lansdowne (then Lord Henry Petty), three years later, when the legality of the famous Orders in Council was debated. Here, however, the speech was made on one day, and the answer, able and triumphant as it was, followed on the next.

It may safely be said that a long time will elapse before there shall arise such a light to illuminate either the Senate or the Bench, as the eminent person whose rare excellence we have just been pausing to contemplate. That excellence was no doubt limited in its sphere; there was no imagination, no vehemence, no declamation, no wit; but the sphere was the highest, and in that highest sphere its place was lofty. The understanding alone was addressed by the understanding; the faculties that distinguish our nature were those over which the oratory of Sir William Grant asserted its control. His sway over the rational and intellectual portion of mankind was that of a more powerful reason, a more vigorous intellect than theirs; a sway which no man had cause for being ashamed of admitting, because the victory was won by superior force of argument; a sway which the most dignified and exalted genius might hold without stooping from its highest pinnacle, and which some who might not deign to use inferior arts of persuasion could find no objection whatever to exercise.

Yet in this purely intellectual picture there remains to be noted a discrepancy, a want of keeping, something more than a shade. The commanding intellect, the close reasoner, who could overpower other men's understanding by the superior force of his own, was the slave of his own prejudices to such an extent, that

he could see only the perils of revolution in any reformation of our institutions, and never conceived it possible that the monarchy could be safe, or that anarchy could be warded off, unless all things were maintained upon the same footing on which they stood in early, unenlightened, and inexperienced ages of the world. The signal blunder, which Bacon long ago exposed, of confounding the youth with the age of the species, was never committed by any one more glaringly than by this great reasoner. He it was who first, with Mr. Canning, employed the well-known phrase of "the wisdom of our ancestors;" and the menaced innovation, to stop which he applied it, was the proposal of Sir Samuel Romilly to take the step of reform, almost imperceptibly small, of subjecting men's real property to the payment of all their debts. Strange force of early prejudice; of prejudice suffered to warp the intellect while yet feeble and uninformed, and which owed its origin to the very error that it embodied in its conclusions, the making the errors of mankind in their ignorant and inexperienced state the guide of their conduct at their mature age, and appealing to those errors as the wisdom of past times, when they were the unripe fruit of imperfect intellectual culture!

MR. BURKE.

THE contrast which Lord Mansfield presented to another school of lawyers, led us to present, somewhat out of its order, the character of Sir Vicary Gibbs as representing the latter class, and from thence we were conducted, by way of contrast (by the association, as it were, of contrariety), to view the model of a perfect judge in Sir William Grant. It is time that we now return to the group of Statesmen collected round Lord North. His supporters being chiefly lawyers, we were obliged to make our incursion into Westminster Hall. When we turn to his opponents, we emerge from the learned obscurity of the black letter precincts to the more cheerful, though not less contentious, regions of political men; and the first figure which attracts the eye is the grand form of Edmund Burke.

How much soever men may differ as to the soundness of Mr. Burke's doctrines or the purity of his public conduct, there can be no hesitation in according to him a station among the most extraordinary persons that have ever appeared; nor is there now any diversity of opinion as to the place which it is fit to assign him. He was a writer of the first class, and excelled in almost every kind of prose composition. Possessed of most extensive knowledge, and of the most various description; acquainted alike with what different classes of men knew, each in his own province, and with much that hardly any one ever thought of learning; he could either bring his masses of information to bear directly upon the subjects to

which they severally belonged—or he could avail himself of them generally to strengthen his faculties and enlarge his views—or he could turn any portion of them to account for the purpose of illustrating his theme or enriching his diction. Hence, when he is handling any one matter, we perceive that we are conversing with a reasoner or a teacher, to whom almost every other branch of knowledge is familiar. His views range over all the cognate subjects; his reasonings are derived from principles applicable to other matters as well as the one in hand; arguments pour in from all sides, as well as those which start up under our feet, the natural growth of the path he is leading us over; while to throw light round our steps, and either explore its darker places or serve for our recreation, illustrations are fetched from a thousand quarters; and an imagination marvellously quick to descry unthought-of resemblances pours forth the stores which a lore yet more marvellous has gathered from all ages and nations and arts and tongues. We are, in respect of the argument, reminded of Bacon's multifarious knowledge and the exuberance of his learned fancy; while the many-lettered diction recalls to mind the first of English poets, and his immortal verse, rich with the spoils of all sciences and all times.

The kinds of composition are various, and he excels in them all, with the exception of two, the very highest, given but to few, and when given, almost always possessed alone,—fierce, nervous, overwhelming declamation, and close, rapid argument. Every other he uses easily, abundantly, and successfully. He produced but one philosophical treatise; but no man lays down abstract principles more soundly, or better traces their application. All his works, indeed, even his controversial, are so informed with general reflection, so variegated with speculative discussion, that they wear the air of the Lyceum as well as the Academy. His narrative is excellent; and it is

impossible more luminously to expose the details of a complicated subject, to give them more animation and interest, if dry in themselves, or to make them bear, by the mere power of statement, more powerfully upon the argument. In description he can hardly be surpassed, at least for effect; he has all the qualities that conduce to it—ardour of purpose, sometimes rising into violence—vivid, but too luxuriant fancy—bold, frequently extravagant conception—the faculty of shedding over mere inanimate scenery the light imparted by moral associations. He indulges in bitter invective, mingled with poignant wit, but descending often to abuse and even scurrility; he is apt moreover to carry an attack too far, as well as to strain the application of a principle; to slay the slain, or, dangerously for his purpose, to mingle and dilute the reader's contempt with pity.

As in the various kinds of writing, so in the different styles, he had an almost universal excellence, one only being deficient—the plain and unadorned. Not but that he could, in unfolding a doctrine or pursuing a narrative, write for a little with admirable simplicity and propriety; only he could not sustain this self-denial; his brilliant imagination and well-stored memory soon broke through the restraint. But in all other styles, passages without end occur of the highest order—epigram—pathos—metaphor in profusion, chequered with more didactic and sober diction. Nor are his purely figurative passages the finest even as figured writing; he is best when the metaphor is subdued, mixed as it were with plainer matter to flavour it, and used not by itself, and for its own sake, but giving point to a more useful instrument, made of more ordinary material; or at the most, flung off by the heat of composition, like sparks from a working engine, not fire-works for mere display. Speaking of the authors of the 'Declaration of Right,' he calls them "those whose penetrating style has

engraved in our ordinances and in our hearts the words and spirit of that immortal law."* So, discoursing of the imitations of natural magnitude by artifice and skill—"A true artist should put a generous deceit on the spectators, and effect the noblest designs by easy methods."† "When pleasure is over we relapse into indifference, or rather we fall into a soft tranquillity, which is tinged with the agreeable colour of the former sensation."‡—"Every age has its own manners, and its politics dependent on them; and the same attempts will not be made against a constitution fully formed and matured, that were used to destroy it in the cradle, or resist its growth during its infancy."§—"Faction will make its cries resound through the nation, as if the whole were in an uproar."‖ In works of a serious nature, upon the affairs of real life, as political discourses and orations, figurative style should hardly ever go beyond this. But strict and close metaphor or simile may be allowed, provided it be most sparingly used, and never deviate from the subject matter, so as to make that disappear in the ornament. "The judgment is for the greater part employed in throwing stumbling-blocks in the way of the imagination (says Mr. Burke), in dissipating the scenes of its enchantment, and in tying us down to the disagreeable yoke of our reason."¶ He has here at once expressed figuratively the principle we are laying down, and illustrated our remark by the temperance of his metaphors, which, though mixed, do not offend, because they come so near mere figurative language that they may be regarded, like the last set of examples, rather as forms of expression than tropes. "A great deal of the furniture of ancient tyranny is worn to rags; the rest is entirely out of fashion,"**—a

* Reflections on the French Revolution.
† Sublime and Beautiful, II. § 10. ‡ Ibid. I. § 8.
§ Thoughts on the Causes of the Present Discontents. ‖ Ibid.
¶ Discourses on Taste.
** Thoughts on the Causes of the Present Discontents.

most apt illustration of his important position, that we ought to be as jealous of little encroachments, now the chief sources of danger, as our ancestors were of 'Ship Money' and the 'Forest Laws.' "A species of men (speaking of one constant and baneful effect of grievances), to whom a state of order would become a sentence of obscurity, are nourished into a dangerous magnitude by the heat of intestine disturbances; and it is no wonder that, by a sort of sinister piety, they cherish, in return, those disorders which are the parents of all their consequence."*—"We have not (he says of the English Church Establishment) relegated religion to obscure municipalities or rustic villages—No! we will have her to exalt her mitred front in courts and parliaments."† But if these should seem so temperate as hardly to be separate figures, the celebrated comparison of the Queen of France, though going to the verge of chaste style, hardly passes it. "And surely, never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in—glittering like the morning star full of life and splendour and joy."‡

All his writings, but especially his later ones, abound in examples of the abuse of this style, in which, unlike those we have been dwelling upon with unmixed admiration, the subject is lost sight of, and the figure usurps its place, almost as much as in Homer's longer similes, and is oftentimes pursued not merely with extravagance and violence, but into details that offend by their coarseness, as well as their forced connexion with the matter in question. The comparison of a noble adversary to the whale, in which the grantee of the crown is altogether forgotten, and the fish alone remains; of one Republican

* Thoughts on the Causes of the Present Discontents.
† Reflections on the French Revolution. ‡ Ibid.

ruler to a cannibal in his den, where he paints him as having actually devoured a king and suffering from indigestion; of another, to a retailer of dresses, in which character the nature of constitutions is forgotten in that of millinery,—are instances too well known to be further dwelt upon; and they were the produce not of the "audacity of youth," but of the last years of his life. It must, however, be confessed, that he was at all times somewhat apt to betray what Johnson imputes to Swift, a proneness to "revolve ideas from which other minds shrink with disgust." At least he must be allowed to have often mistaken violence and grossness for vigour. "The anodyne draught of oblivion, thus drugged, is well calculated to preserve a galling wakefulness, and to feed the living ulcer of a corroding memory. Thus to administer the opiate potion of animosity, powdered with all the ingredients of scorn and contempt," &c.*—"They are not repelled, through a fastidious delicacy at the stench of their arrogance and presumption, from a medicinal attention to their mental blotches and running sores."† —"Those bodies, which, when full of life and beauty, lay in their arms, and were their joy and comfort, when dead and putrid became but the more loathsome from remembrance of former endearments."‡—The vital powers, wasted in an unequal struggle, are pushed back upon themselves, and fester to gangrene, to death; and instead of what was but just now the delight of the creation, there will be cast out in the face of the sun a bloated, putrid, noisome carcase, full of stench and poison, an offence, a horror, a lesson to the world."§ Some passages are not fit to be cited, and could not now be tolerated in either house of parliament, for the indecency of their allusions—as in the Regency debates, and the attack upon

* Reflections on the French Revolution. † Ibid.
‡ Thoughts on the Causes of the Present Discontents.
§ Speech on the Nabob of Arcot's Debts.

lawyers on the Impeachment Continuation. But the finest of his speeches, which we have just quoted from, though it does not go so far from propriety, falls not much within its bounds. Of Mr. Dundas he says, "With six great chopping bastards *(Reports of Secret Committee)*, each as lusty as an infant Hercules, this delicate creature blushes at the sight of his new bridegroom, assumes a virgin delicacy; or, to use a more fit, as well as a more poetical comparison, the person so squeamish, so timid, so trembling lest the winds of heaven should visit too roughly, is expanded to broad sunshine, exposed like the sow of imperial augury, lying in the mud with all the prodigies of her fertility about her, as evidence of her delicate amour."

It is another characteristic of this great writer, that the unlimited abundance of his stores makes him profuse in their expenditure. Never content with one view of a subject, or one manner of handling it, he for the most part lavishes his whole resources upon the discussion of each point. In controversy this is emphatically the case. Indeed, nothing is more remarkable than the variety of ways in which he makes his approaches to any position he would master. After reconnoitring it with skill and boldness, if not with perfect accuracy, he manœuvres with infinite address, and arrays a most imposing force of general principles mustered from all parts, and pointed, sometimes violently enough, in one direction. He now moves on with the composed air, the even, dignified pace of the historian; and unfolds his facts in a narrative so easy, and yet so correct, that you plainly perceive he wanted only the dismissal of other pursuits to have rivalled Livy or Hume. But soon this advance is interrupted, and he stops to display his powers of description, when the boldness of his design is only matched by the brilliancy of his colouring. He then skirmishes for a space, and puts in motion all the lighter arms of wit; sometimes not

unmingled with drollery, sometimes bordering upon farce. His main battery is now opened, and a tempest bursts forth, of every weapon of attack—invective, abuse, irony, sarcasm, simile drawn out to allegory, allusion, quotation, fable, parable, anathema. The heavy artillery of powerful declamation and the conflict of close argument alone are wanting; but of this the garrison is not always aware; his noise is oftentimes mistaken for the thunder of true eloquence; the number of his movements distracts, and the variety of his missiles annoys the adversary; a panic spreads, and he carries his point, as if he had actually made a practicable breach; nor is it discovered till after the smoke and confusion is over, that the citadel remains untouched.

Every one of Mr. Burke's works that is of any importance presents, though in different degrees, these features to the view; from the most chaste and temperate, his 'Thoughts on the Discontents,' to the least faultless and severe; his richer and more ornate as well as vehement tracts upon revolutionary politics; his letters on the 'Regicide Peace,' and 'Defence of his Pension.' His speeches differed not at all from his pamphlets; these are written speeches, or those are spoken dissertations, according as any one is overstudious of method and closeness in a book, or of ease and nature in an oration.

The principal defects here hinted at are a serious derogation from merit of the highest order in both kinds of composition. But in his spoken eloquence, the failure which it is known attended him for a great part of his Parliamentary life is not to be explained by the mere absence of what alone he wanted to equal the greatest orators. In fact, he was deficient in judgment; he regarded not the degree of interest felt by his audience in the topics which deeply occupied himself; and seldom knew when he had said enough on those which affected them as well as him. He was

admirable in exposition; in truth, he delighted to give instruction both when speaking and conversing, and in this he was unrivalled. *Quis in sententiis argutior? in docendo edisserendoque subtilior?* Mr. Fox might well avow, without a compliment, that he had learnt more from him alone than from all other men and authors. But if any one thing is proved by unvarying experience of popular assemblies, it is, that an excellent dissertation makes a poor speech. The speaker is not the only person actively engaged while a great oration is pronouncing; the audience have their share; they must be excited, and for this purpose constantly appealed to as recognized persons of the drama. The didactic orator (if, as has been said of the didactic poet, this be not a contradiction in terms) has it all to himself; the hearer is merely passive; and the consequence is, he soon ceases to be a listener, and, if he can, even to be a spectator. Mr. Burke was essentially didactic, except when the violence of his invective carried him away, and then he offended the correct taste of the House of Commons, by going beyond the occasion, and by descending to coarseness.* When he argued, it was by unfolding large views, and seizing upon analogies too remote, and drawing distinctions "too fine for his hearers," or, at the best, by a body of statements, lucid, certainly, and diversified with flower and fruit, and lighted up with pleasantry, but almost always in excess, and overdone in these

* The charge of coarseness, or rather of vulgarity of language, has, to the astonishment of all who knew him, and understood pure idiomatic English, been made against Mr. Windham, but only by persons unacquainted with both. To him might nearly be applied the beautiful sketch of Crassus by M. Tullius—Quo, says he, nihil statuo fieri potuisse perfectius. Erat summa gravitas, erat cum gravitate junctus, facetiarum et urbanitatis oratorius, non scurrilis lepos. Latine loquendi accurata, et sine molestiâ diligens elegantia—in disserendo mira explicatio; cum de jure civili, cum de æquo et bono disputaretur argumentorum et similitudinum copia. Let not the reader reject even the latter features, those certainly of an advocate; at least let him first read Mr. Windham's Speech on the Law of Evidence, in the Duke of York's case.

qualities as well as in its own substance. He had little power of hard stringent reasoning, as has been already remarked; and his declamation was addressed to the head, as from the head it proceeded, learned, fanciful, ingenious, but not impassioned. Of him, as a combatant, we may say what Aristotle did of the old philosophers, when he compared them to unskilful boxers, who hit round about, and not straight forward, and fight with little effect, though they may by chance sometimes deal a hard blow—*Οἷον ἐν ταις μαχαις οἱ ἀγυμναστοι ποιουσι. και γαρ ἐκεινοι περιφερουμενοι τυπτουσι πολλακις καλας ἀλλ' οὐτ' ἐκεινοι ἀπ' ἐπιστημης.*—(*Metaphys.*)*

Cicero has somewhere called Eloquence *copiose loquens sapientia*. This may be true of written, but of spoken eloquence it is a defective definition, and will, at the best, only comprehend the Demonstrative (or Epideictic) kind, which is banished, for want of an audience, from all modern assemblies of a secular description. Thus, though it well characterizes Mr. Burke, yet the defects which we have pointed out were fatal to his success. Accordingly the test of eloquence, which the same master has in so picturesque a manner given, from his own constant experience, here entirely failed. "Volo hoc oratori contingat, ut cum auditum sit eum esse dicturum, locus in subselliis occupetur, compleatur tribunal, gratiosi scribæ sint in dando et cedendo locum, corona multiplex, judex erectus; cum surgit is qui dicturus sit, significetur a corona silentium, deinde crebræ assensiones, multæ

* The Attic reader will be here reminded of the First Philippic, in which a very remarkable passage, and in part, too, applicable to our subject, seems to have been suggested by the passage in the text; and its great felicity both of apt comparison and of wit, should, with many other passages, have made critics pause before they denied those qualities to the chief of orators. *Ὡσπερ δι οἱ βαρβαροι πυκτευουσιν, οὐτω πολιμιστι φιλιππῳ: και γαρ ἐκεινον ὁ πληγεις αει της πληγης ἐχεται. ἂν ἐτερωσι παταξῃ τις, ἐκεισε ισιν αἱ χειρες. προβαλλεσθαι δ', ἡ βλεπειν ἐναντιον, οὐτ' οἰδεν, οὐτ' ἐθιλει*—which he proceeds to illustrate by the conduct held respecting the Chersonese and Thermopylæ.

admirationes: risus, cum velit; cum velit, fletus; ut, qui hæc procul videat, etiamsi quid agatur nesciat, at placere tamen, et in scena Roscium intelligat." For many years, that is, between the latter part of the American war, and the speeches which he made, neither many nor long, nor in a very usual or regular style, on the French Revolution, the very reverse of all this was to be seen and lamented, as often as Mr. Burke spoke. The spectator saw no signs of Roscius being in action, but rather of the eminent Civilian so closely allied to Mr. Burke, and of whom we are hereafter to speak.* "Videt" (as the same critic has, in another passage, almost to the letter described it) "oscitantem judicem, loquentem cum altero, nonnunquam etiam circulantem, mittentem ad horas; quæsitorem, ut dimittat, rogantem;† intelligit, oratorem in ea causa non adesse, qui possit animis judicum admovere orationem, tanquam fidibus manum."

But it may justly be said, with the second of Attic orators, that sense is always more important than eloquence; and no one can doubt that enlightened men in all ages will hang over the works of Mr. Burke, and dwell with delight even upon the speeches that failed to command the attention of those to whom they were addressed. Nor is it by their rhetorical beauties that they interest us. The extraordinary depth of his detached views, the penetrating sagacity which he occasionally applies to the affairs of men and their motives, and the curious felicity of expression with which he unfolds principles and traces resemblances and relations, are separately the gift of few, and in their union probably without any example. This must be admitted on all hands; it is possibly the last of these observations which will obtain universal

* Dr. Lawrence.

† This desire in the English senate is irregularly signified, by the cries of "Question," there not being a proper quarter to appeal to, as in the Roman courts.

assent, as it is the last we have to offer before coming upon disputed ground, where the fierce contentions of politicians cross the more quiet path of the critic.

Not content with the praise of his philosophic acuteness, which all are ready to allow, the less temperate admirers of this great writer have ascribed to him a gift of genius approaching to the power of divination, and have recognized him as in possession of a judgment so acute and so calm withal, that its decision might claim the authority of infallible decrees. His opinions upon French affairs have been viewed as always resulting from general principles deliberately applied to each emergency; and they have been looked upon as forming a connected system of doctrines, by which his own sentiments and conduct were regulated, and from which after times may derive the lessons of practical wisdom.

A consideration which at once occurs, as casting suspicion upon the soundness, if not also upon the sincerity, of these encomiums, is, that they never were dreamt of until the questions arose concerning the French Revolution; and yet, if well founded, they were due to the former principles and conduct of their object; for it is wholly inconsistent with their tenor to admit that the doctrines so extolled were the rank and sudden growth of the heats which the changes of 1789 had generated. Their title to so much admiration and to our implicit confidence must depend upon their being the slowly matured fruit of a profound philosophy, which had investigated and compared; pursuing the analogies of things, and tracing events to their remote origin in the principles of human nature. Yet it is certain that these reasoners (if reasoning can indeed be deemed their vocation) never discovered a single merit in Mr. Burke's opinions, or anything to praise, or even to endure, in his conduct, from his entrance into public life in 1765 to the period of that stormy confusion of all parties and all political attach-

ments, which took place in 1791, a short time before he quitted it. They are therefore placed in a dilemma, from which it would puzzle more subtle dialecticians to escape. Either they or their idol have changed; either they have received a new light, or he is a changeling god. They are either converts to a faith which, for so many years and during so many vicissitudes, they had, in their preaching and in their lives, held to be damnable; or they are believers in a heresy, lightly taken up by its author, and promulgated to suit the wholly secular purposes of some particular season.

We believe a very little examination of the facts will suffice to show that the believers have been more consistent than their oracle; and that they escape from the charge of fickleness at the expense of the authority due to the faith last proclaimed from his altar. It would, indeed, be difficult to select one leading principle or prevailing sentiment in Mr. Burke's latest writings, to which something extremely adverse may not be found in his former, we can hardly say his early works; excepting only on the subject of Parliamentary Reform, to which, with all the friends of Lord Rockingham, he was from the beginning adverse; and in favour of which he found so very hesitating and lukewarm a feeling among Mr. Fox's supporters, as hardly amounted to a difference, certainly offered no inducements to compromise the opinions of his own party. Searching after the monuments of altered principles, we will not resort to his first works, in one of which he terms Damien "a late unfortunate regicide," looking only at his punishment, and disregarding his offence; neither shall we refer to his speeches, exceeding, as they did, the bounds which all other men, even in the heat of debate, prescribed to themselves, in speaking now of the first magistrate of the country, while labouring under a calamitous visitation of Providence—now of kings generally.

But we may fairly take as the standard of his opinions, best weighed and most deliberately pronounced, the calmest of all his productions, and the most fully considered,—given to the world when he had long passed the middle age of life, had filled a high station, and been for years eminent in parliamentary history.* Although, in compositions of this kind, more depends upon the general tone of a work than on particular passages, because the temper of mind on certain points may be better gathered from that, than from any expressly stated propositions, yet we need but open the book to see that his *Thoughts* in 1770 were very different from those which breathe through every page of his Anti-Jacobin writings.

And first of the "Corinthian Capital" of 1790—"I am no friend" (says he in 1770) "to aristocracy, in the sense at least in which that word is usually understood. If it were not a bad habit to moot cases on the supposed ruin of the constitution, I should be free to declare, that if it must perish, I would rather by far see it resolved into any other form, than lost in that austere and insolent domination." (*Works*, II. 246.) His comfort is derived from the consideration, "that the generality of peers are but too apt to fall into an oblivion of their proper dignity, and run headlong into an abject servitude." Next of "the Swinish Multitude" —"When popular discontents have been very prevalent, it may well be affirmed and supported that there has been generally something found amiss in the constitution or in the conduct of government. The people have no interest in disorder. When they do wrong, it is their error, not their crime. But with the governing part of the state it is far otherwise;" and he quotes the saying of Sully: "Pour la populace, ce n'est jamais par envie d'attaquer qu'elle se soulève, mais par impatience de souffrir." (*Ib.* 224.) Again, of

* The Thoughts on the Causes of the Present Discontents was published in 1770—when Mr. Burke was above forty years old.

the people as "having nothing to do with the laws but to obey them"—"I see no other way for the preservation of a decent attention to public interest in the representatives, but *the interposition of the body of the people itself*,* whenever it shall appear by some flagrant and notorious act,—by some capital innovation—that these representatives are going to overleap the fences of the law, and to introduce an arbitrary power. This interposition is a most unpleasant remedy. But if it be a legal remedy, it is intended on some occasion to be used; to be used then only when it is evident that nothing else can hold the constitution to its true principles. It is not in Parliament alone that the remedy for parliamentary disorders can be completed; hardly indeed can it begin there. Until a confidence in government is re-established, the people ought to be excited to a more strict and detailed attention to the conduct of their representatives. Standards for judging more systematically upon their conduct ought to be settled in the meetings of counties and corporations. Frequent and correct lists of the voters in all important questions ought to be procured." (*Ib.* 324.) The reasons which called for popular interposition, and made him preach it at a season of unprecedented popular excitement, are stated to be "the immense revenue, enormous debt, and mighty establishments;" and he requires the House of Commons "to bear some stamp of the actual disposition of the people at large;" adding, that "it would be a more natural and tolerable evil, that the House should be infected with every epidemical frenzy of the people, as this would indicate some consanguinity, some sympathy of nature with their constituents, than that they should in all cases be wholly untouched by the opinions and feelings of the people out of doors." Now let us step aside for a moment to remark, that the "*immense revenue*" was under

* Ital. in orig.

10 millions; the "*enormous debt*," 130; and the "*mighty establishments*" cost about 6 millions a-year. The statesman who, on this account, recommended popular interference in 1770, lived to see the revenue 24 millions; the debt, 350; the establishment, 30; and the ruling principle of his latter days was the all-sufficiency of Parliament and the Crown, and the fatal consequence of according to the people the least share of direct power in the state.

His theoretical view of the constitution in those days was as different from the high monarchical tone of his latter writings. The King was then "the representative of the people,"—"so" (he adds) "are the Lords; so are the Judges; they are all trustees for the people, as well as the Commons, because no power is given for the sole sake of the holder; and although government certainly is an institution of divine authority, yet its forms, and the persons who administer it, all originate from the people." And then comes that immortal passage so often cited, and which ought to be blazoned in letters of fire over the porch of the Commons' House; illustrating the doctrine it sets out with, that "their representatives are a control *for* the people, and not *upon* the people; and that the virtue, spirit, and essence of a House of Commons consist in its being the express image of the feelings of the nation." (*Ibid.* 288.)* It may be

* "A vigilant and jealous eye over executory and judicial magistracy; an anxious care of public money; an openness, approaching towards facility, to public complaint; these seem to be the true characteristics of a House of Commons. But an addressing House of Commons and a petitioning nation; a House of Commons full of confidence, when the nation is plunged in despair; in the utmost harmony with ministers whom the people regard with the utmost abhorrence; who vote thanks, when the public opinion calls upon them for impeachments; who are eager to grant, when the general voice demands account; who in all disputes between the people and the administration pronounce against the people; who punish their disorders, but refuse even to inquire into the provocations to them; this is an unnatural, a monstrous state of things in the constitution. Such an assembly may be a great, wise, awful senate; but it is not to any popular purpose a House of Commons."—(*Ib.* 289.)

superfluous to add, that one so deeply imbued with the soundest principles of a free constitution must always have regarded the Bourbon rulers with singular dislike, while he saw in the English government the natural ally of Liberty, wheresoever she was struggling with her chains. Accordingly, in the same famous work, he exclaims, "Such was the conquest of Corsica, by the professed enemies of the freedom of mankind, in defiance of those who were formerly its professed defenders." (*Ibid.* 272.)

Although it cannot be denied that a considerable portion of the deference which Mr. Burke's later and more celebrated opinions are entitled to command is thus taken away, and, as it were, shared by the conflicting authority of his earlier sentiments, his disciples may, nevertheless, be willing to rest his claims to a reverent, if not an implicit observance upon the last, as the maturest efforts of his genius. Now, it appears evident that, in this extraordinary person, the usual progress of men's faculties in growth and decline was in some measure reversed; his fancy became more vivid,—it burnt, as it were, brighter before its extinction; while age, which had only increased that light, lessened the power of profiting from it, by weakening the judgment as the imagination gained luxuriance and strength. Thus, his old age resembled that of other men in one particular only; he was more haunted by fears, and more easily became the dupe of imposture as well as alarm.

It is quite vain now to deny that the unfavourable decision which those feelings led him to form of the French Revolution was, in the main, incorrect and exaggerated. That he was right in expecting much confusion and mischief from the passions of a whole nation let loose, and influenced only by the various mobs of its capital, literary and political, in the assemblies, the club-rooms, the theatres, and the streets, no one can doubt; and his apprehensions were certainly

not shared by the body of his party. But beyond this very scanty and not very difficult portion of his predictions, it would be hard to show any signal instance of their fulfilment. Except in lamenting the excesses of the times of terror, and in admitting them to form a large deduction from the estimate of the benefits of the Revolution, it would be no easy matter to point out a single opinion of his which any rational and moderate man of the present day will avow. Those who claim for Mr. Burke's doctrines in 1790 the praise of a sagacity and foresight hardly human would do well to recollect his speech on the Army Estimates of that year. It is published by himself, corrected,* and its drift is to show the uselessness of a large force, because "France must now be considered as expunged out of the system of Europe;" it expresses much doubt if she can ever resume her station "as a leading power;" anticipates the language of the rising generation—*Gallos quoque in bellis floruisse audivimus;* and decides, that, at all events, her restoration to anything like a substantive existence must, under a republic, be the work of much time. Scarce two years elapsed before this same France, without any change whatever in her situation, except the increase of the anarchy that had expunged her from the map, declared war on Austria, and in a few months more carried her conquests so much farther than Louis XIV. had done, when the firmness and judgment of King William opposed him, that Mr. Burke now said a universal league was necessary to avert her universal dominion, and that it was a question whether she would suffer any one throne to stand in Europe. The same eulogists of Mr. Burke's sagacity would also do well to recollect those yearly predictions of the complete internal ruin which for so long a period alternated with alarms at the foreign aggrandizement of the Republic; they all

* Works, vol. v. p. 1.

originated in his famous work—though it contains some prophecies too extravagant to be borrowed by his most servile imitators. Thus he contends that the population of France is irreparably diminished by the Revolution, and actually adopts a calculation which makes the distress of Paris require above two millions sterling for its yearly relief; a sum sufficient to pay each family above seventeen pounds, or to defray its whole expenditure in that country.

But on these grounds a further allowance is made, and a new deduction introduced, from the sum total of the deference paid to his authority. It is said that the sagacity and penetration which we are bid to reverence were never at fault, unless on points where strong feelings interfered. The proposition must be admitted, and without any qualification. But it leads not to an abatement merely—it operates a release of the whole debt of deference and respect. For one clever man's opinion is just as good as another's, if both are equally uninfluenced by passions and feelings of every kind. Nor must it be forgotten that on another subject as well as the French Revolution Mr. Burke's prejudices warped his judgment. When strongly interested he was apt to regard things in false colours and distorted shape. The fate of society for many years hung upon Hastings's Impeachment; during that period he exhausted as much vituperation upon the East Indians in this country as he afterwards did on the Jacobins; and he was not more ready to quarrel with Mr. Fox on a difference of opinion about France, than he had been a year before to attack Mr. Erskine with every weapon of personal and professional abuse, upon a slighter difference about the Abating of the Impeachment. Nay, after the Hastings' question might have been supposed forgotten, or merged in the more recent controversy on French affairs, he deliberately enumerates among the causes of alarm at French principles, the prevalence of the

East India interest in England; ranks "Nabobs" with the Diplomatic Body all over Europe, as naturally and incurably Jacobin; and warns this country loudly and solemnly against suffering itself to be overthrown by a "Bengal junto."

The like infirmity of a judgment, weakened, no doubt, by his temper, pursued him in his later years through the whole details of the question that excited him most, when France was the master topic. He is blinded to the impressions on his very senses, not by the 'light shining inward,' but by the heat of his passions. He sees not what all other men behold, but what he wishes to see, or what his prejudices and fantasies suggest; and having once pronounced a dogma, the most astounding contradictions that events can give him, assail his mind and even his senses in vain. Early in 1790 he pronounced France extinguished, as regarded her external force; but at the end of 1793, when the second attempt to invade her had ended in the utter discomfiture of the assailants, when she was rioting in the successes of an offensive war, and had armed her whole people to threaten the liberties of Europe, he still sees in her situation nothing but "complete ruin, without the chance of resurrection," and still reckons that, when she recovers her nominal existence by a restoration of the monarchy, "it will be as much as all her neighbours can do, by a steady guarantee, to keep her upon her basis."* (Works, VII. 185.) That he should confound all persons, as well as things, in his extravagant speculations, surprises less than such delusions as this. We are little astonished at finding him repeatedly class the humane and chivalrous La Fayette with the monster Robespierre; but when we find him pursuing his theory, that all Atheists are Jacobins, so far as to charge Hume with being a leveller, and pressing the

* She had at that time 750,000 men under arms, without calling out the second conscription.

converse of the proposition so far as to insinuate that Priestley was an Atheist, we pause incredulous over the sad devastation which a disordered fancy can make in the finest understanding. (VII. 58.)

That the warlike policy which he recommended against France was more consistent than the course pursued by the ministry, may be admitted. The weak and ruinous plan of leaving the enemy to conquer all Europe while we wasted our blood and our treasure in taking Sugar Islands, to increase the African slave-trade, and mow down whole armies by pestilence, has been oftentimes painted in strong colours, never stronger than the truth; and our arms only were successful when this wretched system was abandoned. But if Mr. Burke faintly and darkly arraigned this plan of operations, it was on grounds so purely fanciful, and he dashed the truth with such a mixture of manifest error that he unavoidably both prevented his counsels from being respected, and subjected his own policy to imputations full as serious as those he brought against the government. He highly approved of the Emigration, because France was no longer in, but out of, France; he insisted on an invasion for the avowed purpose of restoring monarchy and punishing its enemies, he required the advanced guard of the attacking army to be composed of the bands of French gentlemen, emigrants, and to be accompanied by the exiled priests; and, in order to make the movement more popular, they were to be preceded by the proclamation of solemn leagues among the allies, never to treat with a republic that had slain its king, and formal announcements that they entered the country to punish as well as to restore.

Mr. Burke lived not to see the power of the revolutionary government extend itself resistless in the direction he had pronounced impossible, or prove harmless in the only way he deemed it formidable. The downfall of that government he lived not to see thrice

accomplished, without one of his plans being followed. Yet let us not doubt his opinions upon the restoration of his favourite dynasty, had he survived its exile. With all his bright genius and solid learning, his venerable name would have been found at the head, or rather say in advance, of the most universally and most justly contemned faction in the world. The "Ultras" would have owned him for their leader, and would have admitted that he went beyond them in the uncompromising consistency of his extravagant dogmas. He who had deemed the kind of punishments that should be meted out, the most important point to settle previously, and had thought it necessary, in many a long and laboured page, to discuss this when the prospects of the Bourbons were desperate (VII. 187), and to guard them by all arguments against listening to plans of amnesty, would have objected vehemently to every one act of the restored government; regarded the *charter* as an act of abdication; the security of property as robbery and sacrilege; the impunity of the Jacobins, as making the monarch an accessory after the fact to his brother's murder; and what all men of sound minds regarded as a state of great improvement, blessing the country with much happiness, freeing it from many abuses, and giving it precious hopes of liberty, he would have pronounced the height of misery and degradation. If such had not proved to be his views, living in our times, he must have changed all the opinions which he professed up to the hour of his death.

Upon one subject alone could he have been found ranged with the Liberal party of the present day; he always, from a very early period, and before sound principles were disseminated on questions of political economy, held the most enlightened opinions on all subjects of mercantile policy; and these sound opinions he retained to the last; here his mind seemed warped by no bias, and his profound understanding

and habits of observation kept him right. His works abound with just and original reflections upon these matters, and they form a striking contrast to the narrow views which, in his later years, he was prone to take of all that touched the interests and the improvement of mankind. For his whole habits of thinking seemed perverted by the dread of change; and he never reflected, except in the single case of the Irish Catholics, that the surest way of bringing about a violent revolution is to resist a peaceful reform.

As he dreaded all plans of amendment which sought to work by perceivable agency and within a moderate compass of time, so he distrusted all who patronized them—asserting their conduct to be wild and visionary enthusiasm at the best, but generally imputing their zeal to some sinister motives of personal interest: most unjustly — most unphilosophically — most unthinkingly. It is the natural tendency of men connected with the upper ranks of society, and separated from the mass of the community, to undervalue things which only affect the rights or the interests of the people. Against this leaning to which he had yielded, it becomes them to struggle, and their honest devotion to the cause of peaceable improvement, their virtuous labours bestowed in advancing the dignity and happiness of their fellow-creatures, their perils and their losses encountered in defence of the rights of oppressed men, are the most glorious titles to the veneration of the good and the wise; but they are titles which he would have scornfully rejected, or covered with the tide of his indignant sarcasm, whom Providence had endowed with such rare parts, and originally imbued with such love of liberty, that he seemed especially raised up as an instrument for instructing and mending his kind.

Of Mr. Burke's genius as a writer and an orator, we have now spoken at great, though not needless length; and it would not have been necessary to

dwell longer on the subject, but for a sketch of a very different kind, drawn by another hand, from which a more accurate resemblance might have been expected. That Mr. Burke, with extraordinary powers of mind, cultivated to a wonderful degree, was a person of eccentric nature; that he was one mixture of incongruous extremes; that his opinions were always found to be on the outermost verge of those which could be held upon any question; that he was wholly wild and impracticable in his views; that he knew not what moderation or modification was in any doctrine which he advanced; but was utterly extravagant in whatever judgment he formed, and whatever sentiment he expressed;—such was the representation to which we have alluded, and which, considering the distinguished quarter it proceeded from,* seems to justify some further remark; the rather, because we have already admitted the faults to exist in one portion of his opinions, which are now attempted to be affirmed respecting the whole. Without being followers of Mr. Burke's political principles, or indiscriminate admirers of his course as a statesman—the capacity in which he the least shone, especially during the few latter and broken years of his illustrious, chequered, and care-worn life—we may yet affirm that, with the exception of his writings upon the French Revolution —an exception itself to be qualified and restricted—it would be difficult to find any statesman of any age whose opinions were more habitually marked by moderation; by a constant regard to the results of actual experience, as well as the dictates of an enlarged reason; by a fixed determination always to be practical, at the time he was giving scope to the most extensive general views; by a cautious and prudent abstinence from all extremes, and especially from those towards which the general complexion of his political principles

* Lord Melbourne in the House of Lords, July, 1838.

tending, he felt the more necessity for being on his guard against the seduction.

This was the distinguishing feature of his policy through life. A brilliant fancy and rich learning did not more characterize his discourse, than this moderation did his counsels. Imagination did not more inspire or deep reflection inform his eloquence, than a wise spirit of compromise between theory and practice—between all opposing extremes—governed his choice of measures. This was by the extremes of both parties, but more especially of his own, greatly complained of: they could not always comprehend it, and they could never relish it, because their own understanding and information reached it not; and the selfish views of their meaner nature were thwarted by it. In his speeches, by the length at which he dwelt on topics, and the vehemence of his expressions, he was often deficient in judgment. But in the formation of his opinions no such defect could be perceived; he well and warily propounded all practical considerations; and although he viewed many subjects in different lights at the earlier and the later periods of his time, and is thus often quoted for opposite purposes by reasoners on different sides of the great political controversy, he himself never indulged in wild or thoughtless extremes. He brought this spirit of moderation into public affairs with him; and, if we except the very end of his life when he had ceased to live much in public, it stuck by him to the last. "I pitched my Whiggism low," said he, "that I might keep by it." With his own followers his influence was supreme; and over such men as Dr. Lawrence, Mr. W. Elliott, and the late Lord Minto, to say nothing of the Ellises, the Freres, and the Cannings, no man of immoderate and extreme opinions ever could have retained this sway. Mr. Wilberforce compares their deference for him with the treatment of Ahithophel: "It was as if one meant to inquire of the oracle of the

Lord."* Hear again the words of one who knew him well, for he had studied him much, and had been engaged in strenuous controversy against him. Speaking of the effects produced by his strong opinions respecting French affairs, Sir James Mackintosh as justly as profoundly observed to Mr. Horner—"So great is the effect of a single inconsistency with the whole course of a long and wise political life, that the *greatest philosopher in practice* whom the world ever saw, passes with the superficial vulgar for a hot-brained enthusiast." Sir James Mackintosh never dreamt that all the temperate wisdom of the orations upon American affairs—all the profound and practical discretion which breathes over each page of the discussion upon the "Present Discontents"—all the truly enlarged principles of retrenchment, but tempered with the soundest and most rational views of each proposition's bearing upon the whole frame of our complicated government, which have made the celebrated speech upon "Economical Reform" the manual of every moderate and constitutional reformer —all the careful regard for facts, as well as abstract principles, the nice weighing of opposite arguments, the acute perception of practical consequences, which presided over his whole opinions upon commercial policy, especially on the questions connected with Scarcity and the Corn Laws—all the mingled firmness, humanity, soundness of practical judgment, and enlargement of speculative views, which governed his opinions upon the execution of the Criminal Law—all the spirit of reform and toleration, tempered with cautious circumspection of surrounding connexions and provident foresight of possible consequences, which marked and moved his wise and liberal advice upon the affairs of the Irish hierarchy—that all would have been forgotten in the perusal of a few violent

* Life of Wilberforce, vol. ii. p. 211.

invectives or exaggerated sentiments called forth by the horrors of the French Revolution; which, as his unrivalled sagacity had foreseen them, when the rest of his party, intoxicated with the victory over despotism, could not even look towards any consequences at all; so he not very unnaturally regarded as the end and consummation of that mighty event,—mistaking the turbulence by which the tempest and the flood were to clear the stream, for the perennial defilement of its waters.

Nor, though we have shown the repugnance of his earlier to his later opinions, must it after all be set down to the account of a heated imagination and an unsound judgment, that even upon the French Revolution he betrayed so much violence in his language, and carried his opinions to a length which all men now deem extravagant; or that he at one time was so misled by the appearances of the hour as to dread the effacing of France from the map of Europe. We are now filling the safe and easy chair of him who judges after the event, and appeals to things as certainly known, which the veil of futurity concealed from them that went before. Every one must allow that the change which shook France to her centre and fixed the gaze of mankind, was an event of prodigious magnitude; and that he who was called to form an opinion upon its import, and to foretell its consequences, and to shape his counsels upon the conduct to be pursued regarding it, was placed in circumstances wholly new, and had to grope his way without any light whatever from the experience of past times. Mr. Burke could only see mischief in it, view it on whatever side or from whatever point he would; and he regarded the consequences as pregnant with danger to all other countries, as well as to the one which he saw laid waste or about to be devastated by its progress. That for a time he saw right, no one now can affect to

deny. When all else in this country could foresee nothing but good to France, from the great improvement so suddenly wrought in her institutions, he plainly told them that what they were pleased with viewing as the lambent flame of a fire-work was the glare of a volcanic explosion which would cover France and Europe with the ruins of all their institutions, and fill the air with Cimmerian darkness, through the confusion of which neither the useful light of day nor the cheering prospect of heaven could be descried. The suddenness of the improvement which delighted all else, to his sagacious and far-sighted eye, aided doubtless by the reflecting glass of past experience and strengthened by the wisdom of other days in which it had been steeped, presented the very cause of distrust, and foreboding, and alarm. It was *because* his habit of mind was cautious and calculating,—not easily led away by a fair outside, not apt to run into extremes, given to sober reflection, and fond of correcting, by practical views and by the lessons of actual observation, the plausible suggestions of theory,—that he beheld, with doubt and apprehension, Governments pulled down and set up in a day—Constitutions, the slow work of centuries, taken to pieces and re-constructed like an eight-day clock. He is not without materials, were he to retort the charge of easily running into extremes and knowing not where to stop, upon those who were instantly fascinated with the work of 1789, and could not look forward to the consequences of letting loose four-and-twenty millions of people from the control under which ages of submission to arbitrary rule and total disuse of civil rights had kept them. *They* are assuredly without the means of demonstrating *his* want of reflection and foresight. For nearly the whole period during which he survived the commencement of the Revolution—for five of those seven years—all his predictions, save one momentary expression, had

been more than fulfilled; anarchy and bloodshed had borne sway in France; conquest and convulsion had desolated Europe; and even when he closed his eyes upon earthly prospects, he left this portentous meteor "with fear of change perplexing monarchs." The providence of mortals is not often able to penetrate so far as this into futurity. Nor can he whose mind was filled with such well-grounded alarms be justly impeached of violence, and held up as unsoundly given to extremes of opinion, if he betrayed an invincible repugnance to sudden revolutions in the system of policy by which nations are governed, and an earnest desire to see the restoration of the old state of things in France, as the harbinger of repose for the rest of the world.

That Mr. Burke did, however, err, and err widely, in the estimate which he formed of the merits of a Restored Government, no one now can doubt. His mistake was in comparing the old *régime* with the anarchy of the Revolution; to which not only the monarchy of France, but the despotism of Turkey was preferable. He never could get rid of the belief that because the change had been effected with a violence which produced, and inevitably produced, the consequences foreseen by himself, and by him alone, therefore the tree so planted must for ever prove incapable of bearing good fruit. He forgot that after the violence, in its nature temporary, should subside, it might be both quite impossible to restore the old monarchy, and very possible to form a new and orderly and profitable government upon the ruins of the Republic. Above all, he had seen so much present mischief wrought to France during the convulsive struggle which was not over before his death, that he could not persuade himself of any possible good arising to her from the mighty change she had undergone. All this we now see clearly enough; having survived Mr. Burke nearly fifty years, and

witnessed events which the hardiest dealers in prophecy assuredly could never have ventured to foretell. But we who were so blind to the early consequences of the Revolution, and who really did suffer ourselves to be carried away by extreme opinions, deaf to all Mr. Burke's warnings; we surely have little right to charge him with blind violence, unreflecting devotion to his fancy, and a disposition to run into extremes. At one time they who opposed his views were by many, perhaps by the majority of men, accused of this propensity. After the events in France had begun to affright the people of this country, when Mr. Burke's opinions were found to have been well grounded, the friends of liberty would not give up their fond belief that all must soon come right. At that time we find Dean Milner writing to Mr. Wilberforce from Cambridge, that "Mr. Fox's old friends there all gave him up, and most of them said he was mad."*

In the imperfect estimate of this great man's character and genius which we have now concluded, let it not be thought that we have made any very large exceptions to the praise unquestionably his due. We have only abated claims preferred by his unheeding worshippers to more than mortal endowments —worshippers who with the true fanatical spirit adore their idol the more, as he proves the more unsafe guide; and who chiefly valued his peculiarities when he happened to err on the great question that filled the latter years of his life. Enough will remain to

* *Life of Wilberforce*, ii. p 8.—This was written early in the year 1793, when most men thought Mr. Burke both moderate and right. "There is scarce one of his (Mr. Fox's) old friends here at Cambridge who is not disposed to give him up, and most say he is mad. I think of him much as I always did; I still doubt whether he has bad principles, but I think it pretty plain he has none; and I suppose he is ready for whatever turns up." See, too, Lord Wellesley's justly celebrated speech, two years later, on French affairs. It is re-published in Mr. Martin's edition of that great statesman's Despatches.

command our admiration, after it shall be admitted that he who possessed the finest fancy and the rarest knowledge did not equally excel other men in retaining his sound and calm judgment at a season of peculiar emergency; enough to excite our wonder at the degree in which he was gifted with most parts of genius, though our credulity be not staggered by the assertion of a miraculous union of them all. We have been contemplating a great marvel certainly, not gazing on a supernatural sight; and we retire from it with the belief, that if acuteness, learning, imagination, so unmeasured, were never before combined, yet have there been occasionally witnessed in eminent men greater powers of close reasoning and fervid declamation, oftentimes a more correct taste, and, on the question to which his mind was last and most earnestly applied, a safer judgment.

MR. FOX.

THE glory of Mr. Burke's career certainly was the American war, during which he led the Opposition in the House of Commons; until, having formed a successor more renowned than himself, he was succeeded rather than superseded in the command of that victorious band of the champions of freedom. This disciple, as he was proud to acknowledge himself, was Charles James Fox, one of the greatest statesmen, had not his religion been party, and if not the greatest orator, certainly the most accomplished debater, that ever appeared upon the theatre of public affairs in any age of the world. To the profuse, the various learning of his master; to his exuberant fancy, to his profound and mature philosophy, he had no pretensions. His knowledge was confined to the ordinary accomplishments of an English education—intimate acquaintance with the classics; the exquisite taste which that familiarity bestows; and a sufficient knowledge of history. These stores he afterwards increased rather than diminished; for he continued to delight in classical reading; and added a minute and profound knowledge of modern languages, with a deep and accurate study of our own history and the history of other modern states; insomuch that it may be questioned if any politician in any age ever knew so thoroughly the various interests and the exact position of all the countries with which his own had dealings to conduct or relations to maintain. Beyond these solid foundations of oratory and ample stores of political information his range did not extend. Of natural science, of metaphysical philo-

sophy, of political economy, he had not even the rudiments; and he was apt to treat those matters with the neglect, if not the contempt, which ignorance can rather account for than excuse. He had come far too early into public life to be well grounded in a statesman's philosophy; like his great rival, and indeed like most aristocratic politicians, who were described as "rocked and dandled into legislators" by one,* himself exempt from this defect of education; and his becoming a warm partizan at the same early age, also laid the foundation of another defect, the making party principle the only rule of conduct, viewing every truth of political science through this distorting and discolouring medium—nay, confounding the means with the end, apparently to regard the interests of the Whig connexion as paramount to all other objects.†

But if such were the defects of his education, the mighty powers of his nature often overcame them, always threw them into the shade. A preternatural quickness of apprehension, which enabled him to see at a glance what cost other minds the labour of an investigation, made all attainments of an ordinary kind so easy, that it perhaps disinclined him to those which not even his acuteness and strength of mind could master without the pain of study. But he was sure as well as quick; and where the heat of passion, or the prejudice of party, or certain little peculiarities of a personal kind—certain mental idiosyncrasies in which he indulged, and which produced capricious fancies or crotchets—left his faculties unclouded and unstunted, no man's judgment was more sound or could more safely be trusted. Then his feelings were warm and kindly; his temper was sweet though vehement; like that of all the Fox family, his nature was generous,

* Mr. Burke.

† The late publication of his Letters, while it shows both his abilities, his accomplishments, and his amiable nature in a strong light, fully bears out the remark upon his Political Religion.

open, manly; above everything like dissimulation or duplicity; governed by the impulses of a great and benevolent soul. This virtue, so much beyond all intellectual graces, yet bestowed its accustomed influence upon the faculties of his understanding, and gave them a reach of enlargement to which meaner natures are ever strangers. It was not more certain that such a mind as his should be friendly to religious toleration, eager for the assertion of civil liberty, the uncompromising enemy of craft and cruelty in all their forms,—from the corruption of the Treasury and the severity of the penal code, up to the oppression of our American colonies and the African slave-traffic,—than that it should be enlarged and strengthened, made powerful in its grasp and consistent in its purpose, by the same admirable and amiable qualities which bent it towards the right pursuit.

The great intellectual gifts of Mr. Fox, the robust structure of his faculties, naturally governed his oratory, made him singularly affect argument, and led him to a close grappling with every subject; despising all flights of imagination, and shunning everything collateral or discursive. This turn of mind, too, made him always careless of ornament, often negligent of accurate diction. There never was a greater mistake, as has already been remarked,* than the fancying a close resemblance between his eloquence and that of Demosthenes; although an excellent judge (Sir James Mackintosh) fell into it, when he pronounced him "the most Demosthenean speaker since Demosthenes." That he resembled his immortal predecessor in despising all useless beauties, and all declamation for declamation's sake, is true enough; but it applies to every good speaker as well as to those two signal ornaments of ancient and modern rhetoric. That he resembled him in keeping more close to the subject in hand, than many good and even great speakers

* Lord Chatham.

have often done, may also be affirmed; yet this is far too vague and remote a likeness to justify the proposition in question; and it is only a difference in degree, and not a specific distinction between him and others. That his eloquence was fervid, rapid, copious, carrying along with it the minds of the audience, not suffering them to dwell upon the speaker or the speech, but engrossing their whole attention, and keeping it fixed on the question, is equally certain; and is the only real resemblance which the comparison affords. But then the points of difference are as numerous as they are important, and they strike indeed upon the most cursory glance. The one was full of repetitions, recurring again and again to the same topic, nay, to the same view of it, till he had made his impression complete; the other never came back upon a ground which he had utterly wasted and withered up by the tide of fire he had rolled over it. The one dwelt at length, and with many words, on his topics; the other performed the whole at a blow, sometimes with a word, always with the smallest number of words possible. The one frequently was digressive, even narrative and copious in illustration; in the other no deviation from his course was ever to be perceived; no disporting on the borders of his way, more than any lingering upon it; but carried rapidly forward, and without swerving to the right or to the left, like the engines flying along a railway, and like them driving everything out of sight that obstructed his resistless course. In diction as well as in thought the contrast was alike remarkable. It is singular that any one should have thought of likening Mr. Fox to the orator of whom the great Roman critic, comparing him with Cicero, has said so well and so judiciously—*In illo plus curæ, in hoc plus naturæ.* The Greek was, of all speakers, the one who most carefully prepared each sentence; showing himself as sedulous in the collocation of his words as in the selection. His composition, accordingly, is a

model of the most artificial workmanship; yet of an art so happy in its results that itself is wholly concealed. The Englishman was negligent, careless, slovenly beyond most speakers; even his most brilliant passages were the inspirations of the moment; and he frequently spoke for half an hour at a time, sometimes delivered whole speeches, without being fluent for five minutes, or, excepting in a few sound and sensible remarks which were interspersed, rewarding the hearer with a single redeeming passage. Indeed, to the last, he never possessed, unless when much animated, any great fluency; and probably despised it, as he well might, if he only regarded its effects in making men neglect more essential qualities,—when the curse of being *fluent speakers*, and nothing else, has fallen on them and on their audience. Nevertheless, that fluency—the being able easily to express his thoughts in correct words—is as essential to a speaker as drawing to a painter. This we cannot doubt, any more than we can refuse our assent to the proposition, that though merely giving pleasure is no part of an orator's duty, yet he has no vocation to give his audience pain:—which any one must feel who listens to a speaker delivering himself with difficulty and hesitation.

The practice of composition seems never to have been familiar to Mr. Fox. His speeches show this; perhaps his writings still more; because there, the animation of the momentary excitement which often carried him on in speaking had little or no play. One of his worst speeches, if not his worst, is that upon Francis, Duke of Bedford; and it is known to be almost the only one he had ever much prepared, and the only one he ever corrected for the press. His 'History,' too, shows the same want of expertness in composition. The style is pure and correct, but cold and lifeless: it is even somewhat abrupt and discontinuous; so little does it flow naturally or with ease. Yet, when writing letters without any effort, no one expressed himself

more happily, or with more graceful facility: and in conversation, of which he only partook when the society was small and intimate, he was a model of every excellence, whether solid or gay, plain or refined—full of information, witty and playful betimes, never ill-natured for a moment;—above all, never afraid of an argument, as so many eminent men are wont to be; but, on the contrary, courting discussion on all subjects, perhaps without much regard to their relative importance; as if reasoning were his natural element, in which his great faculties moved the most freely. An admirable judge, but himself addicted to reasoning upon general principles, the late Mr. Dumont, used to express his surprise at the love of minute discussion, of argumentation upon trifling subjects, which this great man often showed. But the cause was clear; argument he must have; and as his studies, except upon historical and classical points, had been extremely confined, when matters of a political or critical cast were not on the carpet, he took whatever ordinary matter came uppermost, and made it the subject of discussion. To this circumstance may be added his playful good-nature, which partook, as Mr. Gibbon observed, of the simplicity of a child; making him little fastidious and easily interested and amused.

Having premised all these qualifications, it must now be added, that Mr. Fox's eloquence was of a kind which, to comprehend, you must have heard himself. When he got fairly into his subject, was heartily warmed with it, he poured forth words and periods of fire that smote you, and deprived you of all power to reflect and rescue yourself, while he went on to seize the faculties of the listener, and carry them captive along with him whithersoever he might please to rush. It is ridiculous to doubt that he was a far closer reasoner, a much more argumentative speaker, than Demosthenes; as much more so as Demosthenes would perhaps have been than Fox had he lived in

our times, and had to address an English House of Commons. For it is the kindred mistake of those who fancy that the two were like each other, to imagine that the Grecian's orations are long chains of ratiocination, like Sir William Grant's arguments, or Euclid's demonstrations. They are close to the point; they are full of impressive allusions; they abound in expositions of the adversary's inconsistency; they are loaded with bitter invective; they never lose sight of the subject; and they never quit hold of the hearer, by the striking appeals they make to his strongest feelings and his favourite recollections: to the heart, or to the quick and immediate sense of inconsistency, they are always addressed, and find their way thither by the shortest and surest road; but to the head, to the calm and sober judgment, as pieces of argumentation, they assuredly are not addressed. But Mr. Fox, as he went along, and exposed absurdity, and made inconsistent arguments clash, and laid bare shuffling or hypocrisy, and showered down upon meanness, or upon cruelty, or upon oppression, a pitiless storm of the most fierce invective, was ever forging also the long, and compacted, and massive chain of pure demonstration.

> Ἐν δ' ἐθετ' ἄκμοθετῳ μεγαν ἄκμονα, κόπτε δε δεσμους
> Ἀῤῥηκτους, ἀλυτους, ὄφῤ ἐμπεδον ἄυθι μενοιεν.
> (*Od.* Θ.)

There was no weapon of argument which this great orator more happily or more frequently wielded than wit,—the wit which exposes to ridicule the absurdity or inconsistency of an adverse argument. It has been said of him, we believe by Sir Robert Grant,* that he was the wittiest speaker of his times; and they were the times of Sheridan and of Windham. This was Mr. Canning's opinion, and it was also Mr. Pitt's. There was nothing more awful in Mr. Pitt's sarcasm,

* See 'Quarterly Review' for October, 1810.

nothing so vexatious in Mr. Canning's light and galling raillery, as the battering and piercing wit with which Mr. Fox so often interrupted, but always supported, the heavy artillery of his argumentative declamation.

"Nonne fuit satius, tristes Amaryllidis iras,
Atque superba pati fastidia? Nonne, Menalcan?"

In debate he had that ready discernment of an adversary's weakness, and the advantage to be taken of it, which is, in the war of words, what the *coup d'œil* of a practised general is in the field. He was ever best in reply: his opening speeches were almost always unsuccessful: the one in 1805, upon the Catholic Question, was a great exception; and the previous meditation upon it, after having heard Lord Grenville's able opening of the same question in the House of Lords, gave him much anxiety: he felt exceedingly *nervous*, to use the common expression. It was a noble performance, instinct with sound principle; full of broad and striking views of policy; abounding in magnanimous appeals to justice; and bold assertions of right, in one passage touching and pathetic, — the description of a Catholic soldier's feelings on reviewing some field where he had shared the dangers of the fight, yet repined to think that he could never taste the glories of command. His greatest speeches were those in 1791, on the Russian armament, on Parliamentary Reform in 1797, and on the renewal of the war in 1803. The last he himself preferred to all the others; and it had the disadvantage, if it be not, however, in another sense, the advantage,* of coming after the finest speech, excepting that on the slave-trade, ever delivered by his great antagonist But there are passages in the earlier speeches,— particularly the fierce attack upon Lord Auckland in

* To a great speaker, it is always an advantage to follow a powerful adversary. The audience is prepared for close attention, nay, even feels a craving for some answer.

the Russian speech,—and the impressive and vehement summary of our failings and our misgovernment in the Reform speech, which it would be hard to match even in the speech of 1803. But for the inferiority of the subject, the speech upon the Westminster Scrutiny in 1784 might perhaps be justly placed at the head of them all. The surpassing interest of the question to the speaker himself; the thorough knowledge of all its details possessed by his audience, which made it sufficient to allude to matters and not to state them;* the undeniably strong grounds of attack which he had against his adversary; all conspire to make this great oration as animated and energetic throughout, as it is perfectly felicitous both in the choice of topics and the handling of them. A fortunate cry of "*Order*," which he early raised in the very exordium, by affirming that "far from expecting any indulgence, he could scarcely hope for bare justice from the House," gave him occasion for dwelling on this topic, and pressing it home with additional illustration; till the redoubled blows and repeated bursts of extemporaneous declamation almost overpowered the audience, while they wholly bore down all further interruption. A similar effect is said to have been produced by Mr. (now Lord) Plunket, in the Irish House of Commons, upon some one calling out to take down his words. "Stop," said this consummate orator, "and you shall have something more to take down;" and then followed, in a torrent, the most vehement and indignant description of the wrongs which his country had sustained, and had still to endure.

In most of the external qualities of oratory, Mr. Fox was certainly deficient, being of an unwieldy person, without any grace of action, with a voice of little compass, and which, when pressed in the vehemence

* This is one main cause of the conciseness and rapidity of the Greek orations; they were all on a few simple topics thoroughly known to the whole audience. Much of their difficulty comes also from this source.

of his speech, became shrill almost to a cry or squeak; yet all this was absolutely forgotten in the moment when the torrent began to pour. Some of the under-tones of his voice were peculiarly sweet; and there was even in the shrill and piercing sounds which he uttered when at the more exalted pitch, a power that thrilled the heart of the hearer. His pronunciation of our language was singularly beautiful, and his use of it pure and chaste to severity. As he rejected, from the correctness of his taste, all vicious ornaments, and was more sparing, indeed, in the use of figures at all; so, in his choice of words, he justly shunned foreign idiom, or words borrowed, whether from the ancient or modern languages; and affected the pure Saxon tongue, the resources of which are unknown to so many who use it, both in writing and in speaking.

If from the orator we turn to the man, we shall find much more to blame and to lament, whether his private character be regarded or his public; but for the defects of the former, there are excuses to be offered, almost sufficient to remove the censure, and leave the feeling of regret entire and alone. The foolish indulgence of a father, from whom he inherited his talents certainly, but little principle, put him, while yet a boy, in the possession of pecuniary resources which cannot safely be trusted to more advanced stages of youth; and the dissipated habits of the times drew him, before the age of manhood, into the whirlpool of fashionable excess. In the comparatively correct age in which our lot is cast, it would be almost as unjust to apply our more severe standard to him and his associates, as it would have been for the Ludlows and Hutchinsons of the seventeenth century, in writing a history of the Roman empire, to denounce the immoralities of Julius Cæsar. Nor let it be forgotten, that the noble heart and sweet disposition of this great man passed unscathed through an ordeal which, in almost every other instance, is found to deaden all the kindly

and generous affections. A life of gambling, and intrigue, and faction, left the nature of Charles Fox as little tainted with selfishness or falsehood, and his heart as little hardened, as if he had lived and died in a farm-house; or rather as if he had not outlived his childish years.

The historian of a character so attractive, the softer features of which present a rare contrast to the accustomed harshness of political men, is tempted to extend the same indulgence, and ascribe the errors of the statesman to the accidents of his position, or the less lofty tone of principle which distinguished the earlier period of his public life, while his principles of conduct were forming and ripening. The great party, too, which he so long led with matchless personal influence, would gladly catch at such a means of defence; but as the very same measure of justice or of mercy must be meted out to the public conduct of Mr. Pitt, his great rival, there would be little gain to party pride, by that sacrifice of principle which could alone lead to such unworthy concessions. It is of most dangerous example, of most corrupting tendency, ever to let the faults of statesmen pass uncensured; or to treat the errors or the crimes which involve the interests of millions with the same indulgence towards human frailty which we may, in the exercise of charity, show towards the more venial transgressions that only hurt an individual; most commonly only the wrong-doer himself. Of Mr. Fox it must be said, that whilst his political principles were formed upon the true model of the Whig School, and led him, when combined with his position as opposing the government's warlike and oppressive policy, to defend the liberty of America, and support the cause of peace both in that and the French war, yet he constantly modified these principles, according to his own situation and circumstances as a party chief; making the ambition of the man and the interest

of his followers too uniformly the governing rule of his conduct. The charge is a grave one; but unhappily the facts fully bear it out. Because Lord Shelburne had gained the King's ear, by an intrigue possibly, but then Lord Shelburne never had pretended to be a follower of Mr. Fox, the latter formed a coalition with Lord North, whose person and whose policy he had spent his whole life in decrying; whose misgovernment of America had been the cause of nearly destroying the empire; and whose whole principles were the very reverse of his own. The ground taken by this coalition on which to subvert the government of Lord Shelburne and Mr. Pitt, was, their having made a peace favourable to England beyond what could have been expected, after the state to which Lord North's maladministration had reduced her; their having, among other things, given the new American States too large concessions; and their having made inadequate provision for the security and indemnity of the American loyalists. On such grounds they, Mr. Fox and Lord North, succeeded in overturning the ministry, and took their places; which they held for a few months, when the King dismissed them, amidst the all but universal joy of the country; men of all ranks, and parties, and sects, joining in one feeling of disgust at the factious propensities in which the unnatural alliance was begotten; and apprehending from it, as Mr. Wilberforce remarked, "a progeny stamped with the features of both parents, the violence of the one party, and the corruption of the other." This grand error raised the Tories and Mr. Pitt to the power which, during their long and undisturbed reign, they enjoyed, notwithstanding all the unparalleled difficulties of the times, and in spite of so many failures in all the military enterprises of themselves and of their foreign allies.

The original quarrel with Mr. Pitt was an error proceeding from the same evil source. His early but

mature talents had been amply displayed; he had already gained an influence in Parliament and the country, partly from hereditary renown, partly from personal qualities, second only to that of Mr. Fox; his private character was wholly untarnished; his principles were the same with those of the Whigs; he had nobly fought with them the battle which destroyed the North administration. Yet no first-rate place could be found to offer him; although Mr. Fox had once and again declared a boundless admiration of his genius, and an unlimited confidence in his character. Lord John Cavendish, of an illustrious Whig house by birth, but himself one of the most obscure of mankind, must needs be made Chancellor of the Exchequer; Mr. Pitt was only the son of Lord Chatham, and a man of vast talents, as well as spotless reputation, and he was thus not permitted, without a sacrifice of personal honour, to be the ally of Mr. Fox, in serving their common country. How much misery and mischief might the world have been spared had the Rockingham Ministry preferred Mr. Pitt to Lord John Cavendish, and made the union between him and the Whigs perpetual! We shall presently see that an error almost as great in itself, though in its consequences far from being so disastrous, was afterwards committed by Mr. Pitt himself.

The interval between the American and the French wars was passed by Mr. Fox in opposing whatever was proposed by his antagonist; with the single exception of the measures for restoring the Stadtholder's authority, in 1787. His hearty admiration of the French Revolution is well known; and it was unqualified by any of the profound and sagacious forebodings of Mr. Burke, excited by the distrust of vast and sudden changes among a people wholly unprepared; nor was it ever afterwards materially diminished by the undoubted fact of a minority having obtained the sway, and being compelled to

make up, with the resources of terror, for the essential want of support among the people at large. The separation of his aristocratic supporters, and the unfortunate war to which it led, left him to struggle for peace and the Constitution, with a small but steady band of noble-minded associates; and their warfare for the rights of the people during the dismal period of alarm which elapsed from 1793 to 1801, when the healing influence of the Addington Government was applied to our national wounds, cannot be too highly extolled. The Whigs thus regained the confidence of the nation, which their Coalition ten years before seemed to have forfeited for ever. The new junction with the Grenville party in 1804 was liable to none of the same objections; it was founded on common principles; and it both honoured its authors and served the State. But when, upon Mr. Pitt's death, Mr. Fox again became possessed of power, we find him widely different from the leader of a hopeless though high-principled Opposition to the Court of George III. He consented to take office without making any stipulation with the King on behalf of the Catholics; a grave neglect, which afterwards subverted the Whig Government; and if it be said that this sacrifice was made to obtain the greater object of peace with France, then it must be added that he was slack indeed in his pursuit of that greater object. He allowed the odious income-tax to be nearly doubled, after being driven, one by one, from the taxes proposed; and proposed on the very worst principles ever dreamt of by financiers. He defended the unprincipled arrangement for making the Lord Chief Justice of England a politician, by placing him in the Cabinet. He joined as heartily as any one in the fervour of loyal enthusiasm for the Hanoverian possessions of the Crown. On one great subject his sense of right, no less than his warm and humane feelings, kept him invariably true to the great prin-

ciples of justice as well as policy. His attachment was unceasing, and his services invaluable, to the Abolition of the Slave Trade, which his last accession to office certainly accelerated by several years. For this, and for his support of Lord Erskine in his amendment of the Law of Libel, the lasting gratitude of his country and of mankind is due; and to the memory of so great and so amiable a man it is a tribute which will ever be cheerfully paid. But to appreciate the gratitude which England owes him, we must look, not to his ministerial life; we must recur to his truly glorious career as leader of the patriot band, which, during the almost hopeless struggle from 1793 to 1801, upheld the cause of afflicted freedom. If to the genius and the courage of Erskine we may justly be said to owe the escape from proscription and from arbitrary power, Fox stands next to him as the preserver of that sacred fire of liberty which they saved to blaze forth in happier times. Nor could even Erskine have triumphed as he did, had not the party which Fox so nobly led persevered in maintaining the holy warfare, and in rallying round them whatever was left of the old English spirit to resist oppression.

MR. PITT.

THE circumstances of his celebrated antagonist's situation were as different from his own as could well be imagined. It was not merely disparity of years by which they were distinguished; all the hereditary prejudices under which the one appeared before the country were as unfavourable, as the prepossessions derived from his father's character and renown were auspicious to the entrance of the other upon the theatre of public affairs. The grief, indeed, was yet recent which the people had felt for the loss of Lord Chatham's genius, so proudly towering above all party views and personal ties, so entirely devoted to the cause of his principles and his patriotism—when his son appeared to take his station, and contest the first place in the popular affections with the son of him whose policy and parts had been sunk into obscurity by the superior lustre of his rival's capacity and virtues. But the young statesman's own talents and conduct made good the claim which his birth preferred. At an age when others are but entering upon the study of state affairs, and the practice of debating, he came forth a mature politican, a finished orator,—even, as if by inspiration, an accomplished debater. His knowledge, too, was not confined to the study of the classics, though with these he was familiarly conversant; the more severe pursuits of Cambridge had imparted to him some acquaintance with the stricter sciences which have had their home upon the banks of the Granta since Newton made them his abode; and with political philosophy he was

more familiar than most Englishmen of his own age. Having prepared himself, too, for being called to the bar, and both attended on courts of justice and frequented the Western Circuit, he had more knowledge and habits of business than can fall to the share of our young patricians;—the material out of which British statesmen are for the most part fashioned by an attendance upon debates in Parliament, and a study of newspapers in the clubs. Happy had he not too soon removed into office from the prosecution of studies which his rapid political success broke off never to be resumed! For the leading defect of his life, which is seen through all his measures, and which not even his great capacity and habitual industry could supply, was an ignorance of the principles upon which large plans are to be framed, and nations to be at once guided and improved. As soon as he entered upon official duties, his time was at the mercy of every one who had a claim to prefer, a grievance to complain of, or a nostrum to propound; nor could the hours of which the day consists suffice at once to give all these their audience; to transact the routine business of his station; to direct or to counteract the intrigues of party; and, at the same time, to learn all that his sudden transplanting from the study to the Cabinet, and from the Bar to the Senate, had of necessity left unlearnt.*

From hence, and from the temptation always afforded in times of difficulty to avoid as much as possible all unnecessary embarrassments and all risks not forced upon him, arose the peculiarity which marks his story, and marks it in a way not less hurtful to his own renown, through after ages, than unfortunate for his country. With more power than any minister ever possessed—with an Opposition which

* When the conversation once rolled upon the quality most required in a prime minister, and one said eloquence, another knowledge, a third toil, Mr. Pitt said, "No—patience."

rather was a help than a hindrance to him during the greater part of his rule—with a friendly Court, an obsequious Parliament, a confiding people—he held the supreme place in the public councils for many years, and, excepting the Union with Ireland, which was forced upon him by a rebellion, and which was both corruptly and imperfectly carried, so as to produce the smallest possible benefit to either country, he has not left a single measure behind him for which the community, whose destinies he so long swayed, has any reason to respect his memory; while, by want of firmness, he was the cause of an impolicy and extravagance, the effects of which are yet felt, and will oppress us beyond the life of the youngest now alive.

It is assuredly not to Mr. Pitt's sinking-fund that we allude, as showing his defective political resources; that scheme, now exploded, after being gradually given up by all adepts in the science of finance, was for many years their favourite; nor can he in this particular be so justly charged, as he well may in all the rest of his measures, with never having gone before his age, and not always being upon a level with the wisdom of his own times. Yet may it be confessed that, his financial administration being the main feature in his official history, all his other plans are allowed to have been failures at the time; and this, the only exception, began to be questioned before his decease, and has long been abandoned.* Neither should we visit harshly the entire change of his opinions upon the great question of Reform; albeit the question with which his claims to public favour commenced, and on his support of which his early popularity and power were almost wholly grounded. But the force must be admitted, of the defence urged for his conversion, that the alarms raised in the most reflecting minds by the

* It was Dr. Price's Plan; and he complained that of the three schemes proposed by him, Mr. Pitt had selected the worst.

French Revolution, and its cognate excitement among ourselves, justified a reconsideration of the opinions originally entertained upon our Parliamentary system, and might induce an honest alteration of them. But that any such considerations could ever justify him in lending himself to the persecution of his former associates in that cause, may be peremptorily denied; and in aid of this denial, it may be asked, what would have been said of Mr. Wilberforce, and the other abolitionists, had they, on account of some dreadful desolation of our colonies by negro insurrection, suddenly joined in proscribing and persecuting all who, after they themselves had left the cause, should have continued to devote their efforts to its promotion? But the main charge against Mr. Pitt is his having suffered himself to be led away by the alarms of the Court, and the zeal of his new allies, the Burke and Windham party, from the ardent love of peace which he professed and undoubtedly felt, to the eager support of the war against France, which might well have been avoided had he but stood firm. The deplorable consequences of this change in his conduct are too well known: they are still too sensibly felt. But are the motives of it wholly free from suspicion? *Cui bono?* was the question put by the Roman lawyer when the person really guilty of any act was sought for. "Whom does it profit?"—A similar question may often be put, without any want of charity, when we are in quest of the motives which prompted a doubtful or suspicious course of action, proved by experience to have been disastrous to the world. That, as the chief of a party, Mr. Pitt was incalculably a gainer by the event which, for a while, well-nigh annihilated the Opposition to his Ministry, and left that Opposition crippled as long as the war lasted, no man can doubt. That, independent of its breaking up the Whig party, the war gave their antagonists a constant lever wherewithal to

move at will both parliament and people, as long as the sinews of war could be obtained from the resources of the country, is at least as unquestionable a fact.

But that he very soon opened his eyes to the disastrous effects of the war is certain. The violence and misrepresentations of party long concealed the truth, and left men to doubt whether or not the minister was desirous of a peace which should restore prosperity to his own country and impose bounds to the wide-spreading conquests of the enemy. It was even very confidently affirmed that he was unforgiving towards Mr. Wilberforce, who brought forward a motion which it was alleged—falsely though confidently alleged—forced him reluctantly into a negotiation with France. The most ample contradiction of these factious slanders has now been given to the world by Lord Malmesbury's publication of his grandfather's papers —a publication which I am very far from approving in all its parts, but which bears the most honourable testimony to Mr. Pitt's conduct in many essential particulars. No one can rise from a perusal of the ambassador's 'Diary and Correspondence' without feeling at once how amiable and honourable Mr. Pitt was in all the relations of private life; and also how sincerely desirous he was of making peace with the Executive Directory, almost at any price. The falsehoods caused by factious virulence, and believed by the blindness of dupes, never received a more complete exposure.

He may indeed well have felt conscious that to preside over the war was not his natural vocation. His conduct in it betrayed no extent of views, no commanding notions of policy. Anything more commonplace can hardly be imagined. To form one coalition after another in Germany, and subsidize the allies with millions of free gift, or aid them with profuse loans, until all the powers in our pay were defeated

in succession, and most of them either destroyed or converted into tools of the enemy—such were all the resources of his diplomatic skill. To shun any effectual conflict with the enemy, while he wasted our military force in petty expeditions, to occupy forts, and capture colonies, which, if France prevailed in Europe, were useless acquisitions, only increasing the amount of the slave-trade, and carrying abroad our own capital, and which, if France were beaten in Europe, would all of themselves fall into our hands—such was the whole scheme of his warlike policy. The operations of our navy, which were undertaken as a matter of course, and would have been performed, and must have led to our brilliant maritime successes, whoever was the minister, nay, whether or not there was any minister at all, may be added to the account; but can have little or no influence upon the estimate to be formed of his belligerent administration. When, after a most culpable refusal to treat with Napoleon in 1800—the work of his associates, and chiefly of the Canning School—a refusal grounded on the puerile hope of the newly gotten Consular power being soon overthrown—he found it impossible any longer to continue the ruinous expenditure of the war, he retired, placing in his office a friend, with whom he quarrelled for refusing to retire when he was bidden.* But the ostensible ground of his resignation was the King's bigoted refusal to emancipate the Irish catholics. Nothing could have more redounded to his glory than this. But he resumed office in 1804, refused to make any stipulation for those same catholics, and always opposed those who urged their claims on the utterly unconstitutional ground of the king's personal prejudices; a ground quite as solid for yielding to that monarch in 1801, as for not urging him in 1804. It was quite as

* Lord Malmesbury's Papers show, in a very remarkable manner, how extremely reluctant Mr. Pitt was to break with Mr. Addington (see *infra*, Canning).

discreditable to him that, on the same occasion, after pressing Mr. Fox upon George III. as an accession of strength necessary for well carrying on the war, he agreed to take office without any such accession, rather than thwart the personal antipathy, the capriciousness, the despicable antipathy of that narrow-minded and vindictive prince against the most illustrious of his subjects.*

These are heavy charges; but I fear the worst remains to be urged against the conduct of this eminent person. No man felt more strongly on the subject of the African Slave Trade than he; and all who heard him are agreed that his speeches against it were the finest of his noble orations. Yet did he continue for eighteen years of his life, suffering every one of his colleagues, nay, of his mere underlings in office, to vote against the question of Abolition, if they thought fit; men, the least inconsiderable of whom durst no more have thwarted him upon any of the more trifling measures of his government, than they durst have thrust their heads into the fire. Even the foreign slave-trade, and the traffic which his war policy had trebled by the capture of the enemy's colonies, he suffered to grow and prosper under the fostering influence of British capital; and after letting years and years glide away, and hundreds of thousands be torn from their own country, and carried to perpetual misery in ours, while one

* It is a singular instance of the great effects of trivial circumstances that the following anecdote has been preserved:—During the co-operation of all parties against Mr. Addington's Government in the spring of 1804, Mr. Pitt and Mr. C. Long were one night passing the door of Brooks's Club-house on their way from the House of Commons, when Mr. Pitt, who had not been there since the Coalition of 1783, said he had a great mind to go in and sup. His wary friend said, "I think you had better not," and turned aside the well conceived intention. When we reflect on the high favour Mr. Pitt then was in with the Whigs, and consider the nature of Mr. Fox as well as his own, we can have little doubt of the cordial friendship which such a night would have cemented, and that the union of the two parties would have been complete.

stroke of his pen could, at any moment, have stopped it for ever, he only could be brought to issue, a few months before his death, the Order in Council, which at length destroyed the pestilence. This is by far the gravest charge to which Mr. Pitt's memory is exposed.

If from the statesman we turn to the orator, the contrast is indeed marvellous. He is to be placed, without any doubt, in the highest class. With a sparing use of ornament, hardly indulging more in figures, or even in figurative expression, than the most severe examples of ancient chasteness allowed—with little variety of style, hardly any of the graces of manner—he no sooner rose than he carried away every hearer, and kept the attention fixed and unflagging till it pleased him to let it go; and then

> "So charming left his voice, that we, awhile,
> Still thought him speaking, still stood fix'd to hear."

This magical effect was produced by his unbroken flow, which never for a moment left the hearer in pain or doubt, and yet was not the mean fluency of mere relaxation, requiring no effort of the speaker, but imposing on the listener a heavy task; by his lucid arrangement, which made all parts of the most complicated subject quit their entanglement, and fall each into its place; by the clearness of his statements, which presented at once a picture to the mind; by the forcible appeals to strict reason and strong feeling, which formed the great staple of the discourse; by the majesty of the diction; by the depth and fulness of the most sonorous voice, and the unbending dignity of the manner, which ever reminded us that we were in the presence of more than an advocate or debater—that there stood before us a ruler of the people. Such were invariably the effects of this singular eloquence; and they were as certainly produced on ordinary occasions, as in those grander displays when he rose to

the height of some great argument; or indulged in vehement invective against some individual, and variegated his speech with that sarcasm of which he was so great a master, and indeed so little sparing an employer; although even here all was uniform and consistent; nor did anything, in any mood of mind, ever drop from him that was unsuited to the majestic frame of the whole, or could disturb the serenity of the full and copious flood which rolled along.

But if such was the unfailing impression at first produced, and which, for a season absorbing the faculties, precluded all criticism; upon reflection, faults and imperfections certainly were disclosed. There prevailed a monotony in the matter, as well as in the manner; and even the delightful voice which so long prevented this from being felt, was itself almost without any variety of tone. All things were said nearly in the same way; as if by some curious machine, periods were rounded and flung off; as if, in like moulds, though of different sizes, ideas were shaped and brought out. His composition was correct enough, but not peculiarly felicitous; his English was sufficiently pure without being at all racy, or various, or brilliant; his style was, by Mr. Windham, called "a state paper style," in allusion to its combined dignity and poverty; and the same nice observer, referring to the eminently skilful way in which he balanced his phrases, sailed near the wind, and seemed to disclose much whilst he kept the greater part of his meaning to himself, declared that "he verily believed Mr. Pitt could speak a King's speech off-hand." His declamation was admirable, mingling with and clothing the argument, as to be good for any thing declamation always must; and no more separable from the reasoning than the heat is from the metal in a stream of lava. Yet, with all this excellence, the last effect of the highest eloquence

was for the most part wanting; we seldom forgot the speaker, or lost the artist in the work. He was earnest enough; he seemed quite sincere; he was moved himself as he would move us; we even went along with him, and forgot *ourselves;* but we hardly forgot *him;* and while thrilled with the glow which his burning words diffused, or transfixed with wonder at so marvellous a display of skill, we yet felt that it was admiration of a consummate artist which filled us, and that after all we were present at an exhibition; gazing upon a wonderful performer indeed, but still a performer.

We have ventured to name the greatest displays of Mr. Fox's oratory; and it is fit we should attempt as much by his illustrious rival's. The speech on the war, in 1803, which, by an accident that befell the gallery, was never reported, is generally supposed to have excelled all his other performances in vehement and spirit-stirring declamation; and this may be the more easily believed when we know that Mr. Fox, in his reply, said, "The orators of antiquity would have admired, probably would have envied it." The last half hour is described as having been one unbroken torrent of the most majestic declamation. Of those speeches which are in any degree preserved (though it must be remarked that the characteristics now given of his eloquence show how much of it was sure to escape even the fullest transcript that could be given of the words), the finest in all probability is that upon the peace of 1783 and the Coalition, when he so happily closed his magnificent peroration by that noble yet simple figure, "And if this inauspicious union be not already consummated, in the name of my country I forbid the banns." But all authorities agree in placing his speech on the Slave Trade, in 1791, before any other effort of his genius; because it combined, with the most impassioned declamation, the deepest pathos, the most lively imagination, and the closest reasoning.

I have it from Lord Wellesley, who sat beside him on this memorable occasion, that its effects on Mr. Fox were manifest during the whole period of the delivery, while Mr. Sheridan expressed his feelings in the most hearty and even passionate terms; and I have it from Mr. Windham that he walked home lost in amazement at the compass, till then unknown to him, of human eloquence. It is from the former source of information that I derive the singular fact of the orator's health at the time being such as to require his retirement immediately before he rose, in order to take a medicine required for allaying the violent irritation of his stomach.

Let it, however, be added, that he was from the first a finished debater, although certainly practice and the habit of command had given him more perfect quickness in perceiving an advantage and availing himself of an opening, as it were, in the adverse battle, with the skill and the rapidity wherewith our Wellington, in an instant, perceiving the columns of Marmont somewhat too widely separated, executed the movement that gave him his greatest victory at Salamanca. So did Mr. Pitt overthrow his antagonist on the Regency, and in some other conflicts. It may be further observed, that never was any kind of eloquence, or any cast of talents more perfectly suited to the position of leading the Government forces, keeping up the spirits of his followers under disaster, encouraging them to stand a galling adverse fire, above all, presenting them and the friendly though neutral portion of the audience, with reasons or with plausible pretexts for giving the Government that support which the one class desired to give, and the other had no disposition to withhold. The effects which his calm and dignified, yet earnest, manner produced on these classes, and the impression which it left on their minds, have been admirably portrayed by one of the most able among them, and with his well-chosen words this

imperfect sketch of so great a subject may be closed: —"Every part of his speaking, in sentiment, in language, and in delivery, evidently bore the stamp of his character. All communicated a definite and varied apprehension of the qualities of strenuousness without bustle, unlaboured intrepidity, and severe greatness."*

Nothing that we have yet said of this extraordinary person has touched upon his private character, unless so far as the graver faults of the politician must ever border upon the vices or the frailties of the man. But it must be admitted, what even his enemies were willing to confess, that in his failings, or in his delinquencies, there was nothing mean, paltry, or low. His failings were ascribed to love of power and of glory; and pride was the harshest feature that disfigured him to the public eye. We doubt if this can all be said with perfect justice; still more that, if it could, any satisfactory defence would thus be made. The ambition cannot be pronounced very lofty which showed that place, mere high station, was so dear to it as to be sought without regard to its just concomitant, power, and clung by, after being stript of this, the only attribute that can recommend it to noble minds. Yet he well described his office as "the pride of his heart and the pleasure of his life," when boasting that he had sacrificed it to his engagements with Ireland at the Union; and then, within a very short period, he proved that the pleasure and the pride were far too dearly loved to let him think of that tie when he again grasped them, wholly crippled, and deprived of all power to carry a single measure of importance. Nor can any thirst for power itself, any ambition, be it of the most exalted kind, ever justify the measures

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* *Quarterly Review*, *August*, ~~1819~~.—Supposed by some to be by Mr. J. H. Frere, but avowedly by an intimate personal friend. I have ascertained it to be the work of my late lamented friend Sir Robert Grant.

which he contrived for putting to death those former coadjutors of his own, whose leading object was reform; even if they had overstepped the bounds of law, in the pursuit of their common purpose. His conduct on the slave-trade falls within the same view; and leaves a dark shade resting upon his reputation as a man, a shade which, God be praised, few would take, to be the first of orators and greatest of ministers.

In private life he was singularly amiable; his spirits were naturally buoyant and even playful; his affections warm; his veracity scrupulously exact; his integrity wholly without a stain; and, although he was, from his situation, cut off from most of the relations of domestic life, as a son and a brother he was perfect, and no man was more fondly beloved or more sincerely mourned by his friends.*

It was a circumstance broadly distinguishing the parliamentary position of the two great leaders whom we have been surveying, that while the one had to fight the whole battle of his government for many years, the first and most arduous of his life, if not single handed, yet with but a single coadjutor of any power, the other was surrounded by "troops of friends," any one of whom might well have borne the foremost part. Against such men as Burke, Windham, Sheridan, North, Erskine, Lee, Barré,—Mr. Pitt could only set Mr. Dundas; and it is certainly the most astonishing part of his history, that against such a

* The story told of his refusing to marry Mademoiselle Necker (afterwards Madame de Staël), when the match was proposed by the father, rests upon a true foundation; but the form of the answer, "That he was already married to his country," has, unless it was a jest, which is very possible, no more foundation than the dramatic exit described by Mr. Rose in the House of Commons, when he stated "Oh my country" to have been his last words—though it is certain that, for many hours, he only uttered incoherent sentences. Such things were too theatrical for so great a man, and of too vulgar a caste for so consummate a performer, had he stooped to play a part in such circumstances.

phalanx, backed by the majority of the Commons, he could struggle all through the first session of his administration. Indeed, had it not been for the support which he received both from the Court and the Lords, and from the People, who were justly offended with the unnatural coalition of his adversaries, that session would not only have been marvellous but impossible.

MR. SHERIDAN.

Of Mr. Fox's adherents who have just been named, the most remarkable certainly was Mr. Sheridan, and with all his faults, and all his failings, and all his defects, the first in genius and greatest in power. When the illustrious name of Erskine appears in the bright catalogue, it is unnecessary to add that we here speak of parliamentary genius and political power.

These sketches as naturally begin with a notice of the means by which the great rhetorical combatants were brought up, and trained and armed for the conflict, as Homer's battles do with the buckling on of armour and other note of preparation, when he brings his warriors forward upon the scene. Of Mr. Sheridan, any more than of Mr. Burke, it cannot be lamented, as of almost all other English statesmen, that he came prematurely into public life, without time given for preparation by study. Yet this time in his case had been far otherwise spent than in Mr. Burke's. Though his education had not been neglected, for he was bred at Harrow, and with Dr. Parr, yet he was an idle and a listless boy, learning as little as possible, and suffering as much wretchedness; an avowal which to the end of his life he never ceased to make, and to make in a very affecting manner. Accordingly, he brought away from school a very slender provision of classical learning; and his taste, never correct or chaste, was wholly formed by acquaintance with the English poets and dramatists, and perhaps a few of our more ordinary prose-writers; for in no other language could he read with anything approaching to ease. Of those poets,

he most *professed* to admire and to have studied Dryden; he plainly *had* most studied Pope, whom he always vilified and always imitated. But of dramatists his passion evidently was Congreve, and after him, Vanbrugh, Farquhar, even Wycherley: all of whom served for the model, partly even for the magazine of his own dramatic writings, as Pope did of his verses. 'The Duenna,' however, is formed after the fashion of Gay; of whom it falls farther short than the 'School for Scandal' does of Congreve. That his plays were great productions for any age, astonishing for a youth of twenty-three and twenty-five, is unquestionable. Johnson has accounted for the phenomenon of Congreve, at a still earlier period of life, showing much knowledge of the world, by observing that, on a close examination, his dialogues and characters might have been gathered from books "without much actual commerce with mankind." The same can hardly be said of the 'School for Scandal;' but the author wrote it when he was five years older than Congreve had been at the date of the 'Old Bachelor.'

Thus with an ample share of literary and dramatic reputation, but not certainly of the kind most auspicious for a statesman; with a most slender provision of knowledge at all likely to be useful in political affairs; with a position by birth and profession little suited to command the respect of the most aristocratic country in Europe—the son of an actor, the manager himself of a theatre—he came into that parliament which was enlightened by the vast and various knowledge, as well as fortified and adorned by the more choice literary fame of a Burke, and which owned the sway of consummate orators like Fox and Pitt. His first effort was unambitious, and it was unsuccessful. Aiming at but a low flight, he failed in that humble attempt. An experienced judge, Woodfall, told him "It would never do;" and counselled him to seek again the more congenial atmosphere of Drury-lane.

But he was resolved that it should do; he had taken his part; and, as he felt the matter was in him, he vowed not to desist till "he had brought it out." What he wanted in acquired learning, and in natural quickness, he made up by indefatigable industry: within given limits, towards a present object, no labour could daunt him; no man could work for a season with more steady and unwearied application. By constant practice in small matters, or before private committees, by diligent attendance upon all debates, by habitual intercourse with all dealers in political wares, from the chiefs of parties and their more refined coteries to the providers of daily discussion for the public and the chroniclers of parliamentary speeches, he trained himself to a facility of speaking, absolutely essential to all but first-rate genius, and all but necessary even to that; and he acquired what acquaintance with the science of politics he ever possessed, or his speeches ever betrayed. By these steps he rose to the rank of a first-rate speaker, and as great a debater as a want of readiness and need for preparation would permit.

He had some qualities which led him to this rank, and which only required the habit of speech to bring them out into successful exhibition; a warm imagination, though more prone to repeat with variations the combinations of others, or to combine anew their creations, than to bring forth original productions; a fierce, dauntless spirit of attack; a familiarity, acquired from his dramatic studies, with the feelings of the heart and the ways to touch its chords; a facility of epigram and point, the yet more direct gift of the same theatrical apprenticeship; an excellent manner, not unconnected with that experience; and a depth of voice which perfectly suited the tone of his declamation, be it invective, or be it descriptive, or be it impassioned. His wit, derived from the same source, or sharpened by the same previous habits, was eminently brilliant, and almost always successful; it was

like all his speaking, exceedingly prepared, but it was skilfully introduced and happily applied; and it was well mingled also with humour, occasionally descending to farce. How little it was the inspiration of the moment all men were aware who knew his habits; but a singular proof of this was presented by Mr. Moore when he came to write his life; for we there find given to the world, with a frankness which must almost have made their author shake in his grave, the secret note-books of this famous wit; and are thus enabled to trace the jokes, in embryo, with which he had so often made the walls of St. Stephen's shake, in a merriment excited by the happy appearance of sudden unpremeditated effusion.*

The adroitness with which he turned to account sudden occasions of popular excitement, and often at the expense of the Whig party, generally too indifferent to such advantages, and too insensible to the damage they thus sustained in public estimation, is well known. On the mutiny in the fleet, he was beyond all question right; on the French invasion, and on the attacks upon Napoleon, he was almost as certainly wrong; but these appeals to the people and to the national feelings of the House, tended to make the orator well received, if they added little to the statesman's reputation; and of the latter character he was not ambitious. His most celebrated speech was

* Take an instance from this author, giving extracts from the common-place book of the wit:—"He employs his fancy in his narrative, and keeps his recollections for his wit." Again the same idea is expanded into—"When he makes his jokes you applaud the accuracy of his memory, and 'tis only when he states his facts that you admire the flights of his imagination." But the thought was too good to be thus wasted on the desert air of a common-place book. So forth it came at the expense of Kelly, who, having been a composer of music, became a wine merchant. "You will," said the *ready* wit, "import your music and compose your wine." Nor was this service exacted from the old idea thought sufficient—so in the House of Commons an easy and apparently off-hand parenthesis was thus filled with it at Mr. Dundas's cost and charge "(who generally resorts to his memory for his jokes, and to his imagination for his facts)."

certainly the one upon the "Begum Charge" in the proceedings against Hastings; and nothing can exceed the accounts left us of its unprecedented success. Not only the practice then first began, which has gradually increased till it greets every good speech, of cheering, on the speaker resuming his seat, but the minister besought the House to adjourn the decision of the question, as being incapacitated from forming a just judgment under the influence of such powerful eloquence; while all men on all sides vied with each other in extolling so wonderful a performance. Nevertheless, the opinion has now become greatly prevalent, that a portion of this success was owing to the speech having so greatly surpassed all the speaker's former efforts; to the extreme interest of the topics which the subject naturally presented; and to the artist like elaboration and beautiful delivery of certain fine passages, rather than to the merits of the whole. Certain it is, that the repetition of great part of it, presented in the short-hand notes of the speech on the same charge in Westminster Hall, disappoints every reader who has heard of the success which attended the earlier effort. In truth, Mr. Sheridan's taste was very far from being chaste, or even moderately correct; he delighted in gaudy figures; he was attracted by glare; and cared not whether the brilliancy came from tinsel or gold, from broken glass or pure diamond; he overlaid his thoughts with epigrammatic diction; he "played to the galleries," and indulged them, of course, with an endless succession of clap-traps. His worst passages by far were those which he evidently preferred himself;—full of imagery often far fetched, oftener gorgeous, and loaded with point that drew the attention of the hearer away from the thoughts to the words; and his best by far were those where he declaimed, with his deep clear voice, though somewhat thick utterance, with a fierce defiance of some adversary, or an unappeasable vengeance against some oppressive

act; or reasoned rapidly, in the like tone, upon some plain matter of fact, or exposed as plainly to homely ridicule some puerile sophism; and in all this, his admirable manner was aided by an eye singularly piercing,* and a countenance which, though coarse, and even in some features gross, was yet animated and expressive, and could easily assume the figure of both rage, and menace, and scorn. The few sentences with which he thrilled the House on the liberty of the press in 1810 were worth, perhaps, more than all his elaborated epigrams and forced flowers on the Begum Charge, or all his denunciations of Napoleon; "whose morning orisons and evening prayers are for the conquest of England, whether he bends to the God of Battles or worships the Goddess of Reason;"† certainly far better than such pictures of his power, as his having "thrones for his watch-towers, kings for his sentinels, and for the palisades of his castle sceptres stuck with crowns."‡ "Give them," said he in 1810, and in a far higher strain of eloquence, "a corrupt House of Lords; give them a venal House of Commons; give them a tyrannical Prince; give them a truckling Court,—and let me but have an unfettered press; I will defy them to encroach a hair's-breadth upon the liberties of England."§ Of all his speeches there can be little doubt that the most powerful, as the most chaste, was his reply, in 1805, upon the motion which he had made for repealing the Defence Act. Mr. Pitt had unwarily thrown out a sneer at his support of Mr. Addington, as though it was insidious. Such a stone, cast by a person whose house on that aspect was then deemed to be one pane of glass,‖ could not fail to call down a

* It had the singularity of never winking.

† 1802. ‡ 1807. § 1810.

‖ The Malmesbury correspondence has relieved Mr. Pitt's memory from many of the charges respecting his behaviour towards Mr. Addington. Some portion of these no doubt remain, as the biographical work by the family of the latter plainly enough shows; and Mr. Twiss's Life of Lord

shower of missiles; and they who witnessed the looks and gestures of the aggressor under the pitiless pelting of the tempest which he had provoked, represent it as certain that there were moments when he intended to fasten a personal quarrel upon the vehement and implacable declaimer.*

When the just tribute of extraordinary admiration has been bestowed upon this great orator, the whole of his praise has been exhausted. As a statesman, he is without a place in any class, or of any rank; it would be incorrect and flattering to call him a bad, or a hurtful, or a short-sighted, or a middling statesman; he was no statesman at all. As a party man, his character stood lower than it deserved, chiefly from certain personal dislikes towards him; for, with the perhaps doubtful exception of his courting popularity at his party's expense on the two occasions already mentioned, and of the much more serious charge against him of betraying his party in the Carlton House negotiation of 1812, followed by his extraordinary denial of the facts when he last appeared in Parliament, there can nothing be laid to his charge as inconsistent with the rules of the strictest party duty and honour; although he made as large sacrifices as any unprofessional man ever did to the cause of a long and hopeless Opposition, and was often treated with unmerited coldness and disrespect by his coadjutors. But as a man, his character stood confessedly low: his intemperate habits,† and his pecuniary embarrassments, did not merely tend to imprudent con-

Eldon affords conclusive evidence of an understood intrigue to turn out Mr. Addington by communication with the King through the Chancellor.

* Mr. Sheridan wrote his speech during the debate at a coffee-house near the Hall; and it is reported most accurately in the Parliamentary debates, apparently from his own notes.

† Mr. Sheridan's intemperance was well known. But that Mr. Pitt's life was also shortened by his indulgence in wine is certain. This bad habit was not altogether owing to the general practice of society in those times; it was in part caused by injudicious medical advice in his youth, connected with a bad constitution.

duct, by which himself alone might be the sufferer; they involved his family in the same fate; and they also undermined those principles of honesty which are so seldom found to survive fallen fortunes, and hardly ever can continue the ornament and the stay of ruined circumstances, when the tastes and the propensities engendered in prosperous times survive through the ungenial season of adversity. Over the frailties and even the faults of genius, it is permitted to draw a veil, after marking them as much as the interests of virtue require, in order to warn against the evil example, and preserve the sacred flame bright and pure from such unworthy and unseemly contamination.

MR. WINDHAM.

AMONG the members of his party alluded to as agreeing ill with Mr. Sheridan, and treating him with little deference, Mr. Windham was the most distinguished. The advantages of a refined classical education, a lively wit of the most pungent and yet abstruse description, a turn for subtle reasoning, drawing nice distinctions, and pursuing remote analogies, great and early knowledge of the world, familiarity with men of letters and artists, as well as politicians, with Burke, Johnson, and Reynolds, as well as with Fox and North, much acquaintance with constitutional history and principle, a chivalrous spirit, a noble figure, a singularly expressive countenance—all fitted this remarkable person to shine in debate; but were all, when put together, unequal to the task of raising him to the first rank; and were besides, mingled with defects which exceedingly impaired the impression of his oratory, while they diminished his usefulness and injured his reputation as a statesman. For he was too often the dupe of his own ingenuity; which made him doubt and balance, and gave an oscitancy fatal to vigour in council, as well as most prejudicial to the effects of eloquence, by breaking the force of his blows as they fell. His nature, too, perhaps owing to this hesitating disposition, was to be a follower, if not a worshipper, rather than an original thinker or actor; as if he felt some relief under the doubts which harassed him from so many quarters, in thus taking shelter under a master's wing, and devolving upon a less scrupulous balancer of conflicting rea-

sons, the task of trimming the scales, and forming his opinions for him. Accordingly, first Johnson in private, and afterwards Burke on political matters, were the deities whom he adored; and he adhered manfully to the strong opinions of the latter, though oftentimes painfully compelled to suppress his sentiments, all the time that he took counsel with Mr. Pitt and Lord Grenville, who would only consent to conduct the French war upon principles far lower and more compromising than those of the great anti-Jacobin and anti-Gallican leader. But when untrammelled by official connexion, and having his lips no longer sealed by decorum or prudence or other observance prescribed by station, it was a brave sight to see this gallant personage descend into the field of debate, panting for the fray, eager to confront any man or any number of men that might prove his match, scorning all the little suggestions of a paltry discretion, heedless of every risk of retort to which he might expose himself, as regardless of popular applause as of Court favour, nay, from his natural love of danger and disdain of everything like fear, rushing into the most offensive expression of the most unpopular opinions, with as much alacrity as he evinced in braving the power and daring the enmity of the Crown. Nor was the style of his speaking at all like other men's. It was in the easy tone of familiar conversation; but it was full of nice observation and profound remark; it was instinct with classical allusion; it was even over-informed with philosophic and with learned reflection; it sparkled with the finest wit—a wit which was as far superior to Sheridan's, as his to the gambols of the Clown, or the movements of Pantaloon; and his wit, how exuberant soever, still seemed to help on the argument, as well as to illustrate the meaning of the speaker. He was, however, in the main, a serious, a persuasive speaker, whose words plainly flowed from deep and vehement, and long con-

sidered, and well weighed, feelings of the heart. Erat summa gravitas; erat cum gravitate junctus facetiarum et urbanitatis oratorius non scurrilis lepos. Latine loquendi accurata et sine molestiâ diligens elegantia. (*Cic. Brut.*)

The rock on which he so often made shipwreck in debate, and still oftener in council or action, was that love of paradox, on which the tide of his exuberant ingenuity naturally carried him, as it does many others who, finding so much more may be said in behalf of an untenable position than at first sight appeared possible to themselves, or than ordinary minds can at any time apprehend, begin to bear with the erroneous dogma, and end by adopting it.*

"They first endure, then pity, then embrace."

So he was, from the indomitable bravery of his disposition, and his loathing of everything mean, or that savoured of truckling to mere power, not unfrequently led to prefer a course of conduct, or a line of argument, because of their running counter to public opinion or the general feeling; instead of confining his disregard to popularity within just bounds, and holding on his course in pursuit of truth and right, in spite of its temporary disfavour with the people. With these errors there was generally much truth mingled, or at least much that was manifestly wrong tinged the tenets or the conduct he was opposing; yet he was not the less an unsafe councillor, and in debate a dangerous ally. His conduct on the Volunteer question, the interference of the City with Military Rewards, the Amusements of the People, and Cruelty to Animals, afforded instances of this mixed description, where he was led into error by

* They who have been engaged in professional business with the late Mr. John Clerk (afterwards Lord Eldin), may recollect how often that great lawyer was carried away to entertain paradoxical opinions exactly by the process here described.

resisting almost equal error on the opposite hand; yet do these questions also afford proof of the latter part of the foregoing proposition; for what sound or rational view could justify his hostility to all voluntary defence, his reprobation of all expression of public gratitude for the services of our soldiers and sailors, his unqualified defence of bull-baiting, his resistance of all checks upon cruelty towards the brute creation? Upon other subjects of still graver import his paradoxes stood prominent and mischievous; unredeemed by ingenuity, unpalliated by opposite exaggeration, and even unmitigated by any admixture of truth. He defended the Slave Trade, which he had at first opposed, only because the French Royalists were injured by the revolt which their own follies had occasioned in St. Domingo; he resisted all mitigation of our Criminal Law, only because it formed a part of our antiquated jurisprudence, like trial by battle, nay by ordeal of fire and water; and he opposed every project for Educating the People. It required all men's tenderness towards undoubted sincerity and clear disinterestedness to think charitably of such pernicious heresies in such a man. It demanded all this charity and all this faith in the spotless honour of his character, to believe that such opinions could really be the convictions of a mind like his. It was the greatest tribute which could be paid to his sterling merit, his fine parts, his rare accomplishments, that, in spite of such wild aberrations, he was still admired and beloved.

To convey any notion of his oratory by giving passages of his speeches is manifestly impossible. Of the mixed tenderness and figure in which he sometimes indulged, his defence of the military policy pursued by him while in office against the attempts made to change it the year after, might be mentioned; the fine speech, especially, in which, on taking leave of the subject, after comparing the two

plans of recruiting our army to a dead stick thrust into the ground and a living sapling planted to take root in the soil, he spoke of carving his name upon the tree as lovers do when they would perpetuate the remembrance of their passions or their misfortunes. Of his happy allusions to the writings of kindred spirits an example, but not at all above their average merit, is afforded in his speech upon the peace of Amiens, when he answered the remarks upon the uselessness of the Royal title, then given up, of King of France, by citing the bill of costs brought in by Dean Swift against Marlborough, and the comparative account of the charges of a Roman triumph, where the crown of laurel is set down at twopence.—But sometimes he would convulse the House by a happy, startling, and most unexpected allusion; as when on the Walcheren question, speaking of a *coup-de-main* on Antwerp, which had been its professed object, he suddenly said, "A *coup-de-main* in the Scheldt! You might as well talk of a *coup-de-main* in the Court of Chancery." Sir William Grant having just entered and taken his seat, probably suggested this excellent jest; and assuredly no man enjoyed it more. His habitual gravity was overpowered in an instant, and he was seen absolutely to roll about on the bench which he had just occupied.—So a word or two artistically introduced would often serve him to cover the adverse argument with ridicule. When arguing that they who would protect animals from cruelty have more on their hands than they are aware of, and that they cannot stop at preventing cruelty, but must also prohibit killing, he was met by the old answer, that we kill them to prevent them overrunning the earth, and then he said in passing, and, as it were, parenthetically—"An indifferent reason, by the way, for destroying fish."—His two most happy and picturesque, though somewhat caricatured, descriptions of Mr. Pitt's diction, have been already mentioned: that it

was a state-paper style, and that he believed he could speak a King's speech off-hand. His gallantry in facing all attacks was shown daily; and how little he cared for allusions to the offensive expressions treasured up against him, and all the more easily remembered because of the epigrams in which he had embalmed them, might be seen from the way he himself would refer to them, as if not wishing they should be forgotten. When some phrase of his, long after it was first used, seemed to invite attack, and a great cheer followed, as if he had unwittingly fallen into the scrape, he stopped and added, "Why, I said it on purpose!" or, as he pronounced it, "a purpose;" for no man more delighted in the old pronunciation, as well as the pure Saxon idiom of our language, which yet he could enrich and dignify with the importations of classical phraseology.

From what has been said of Mr. Windham's manner of speaking, as well as of his variously embellished mind, it will readily be supposed that in society he was destined to shine almost without a rival. His manners were the most polished, and noble, and courteous, without the least approach to pride, or affectation, or condescension; his spirits were, in advanced life, so gay, that he was always younger than the youngest of his company; his relish of conversation was such, that, after lingering to the latest moment, he joined whatever party a sultry evening (or morning, as it might chance to prove) tempted to haunt the streets before retiring to rest. How often have we accompanied him to the door of his own mansion, and then been attended by him to our own, while the streets rang with the peals of his hearty merriment, or echoed the accents of his refined and universal wit! But his conversation, or grave, or gay, or argumentative, or discursive, whether sifting a difficult subject, or painting an interesting character, or pursuing a merely playful fancy, or lively to very drollery,

or pensive and pathetic, or losing itself in the clouds of metaphysics, or vexed with paradox, or plain and homely, and all but commonplace, was that which, to be understood, must have been listened to; and, while over the whole was flung a veil of unrent classical elegance, through no crevice, had there been any, would ever an unkind or ill-conditioned sentiment have found entrance!

"Scilicet omne sacrum mors importuna profanat,
Omnibus obscuras injicit ille manus—
Ossa quieta precor, tutâ requiescite in urnâ;
Et sit humus cineri non onerosa tuo!"*

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* Relentless death each purer form profanes,
Round all that's fair his dismal arms he throws—
Light lie the earth that shrouds thy loved remains,
And softly slumbering may thy taste repose!

MR. DUNDAS.

If we turn from those whose common principles and party connexion ranged them against Mr. Pitt, to the only effectual supporter whom he could rely upon as a colleague on the Treasury Bench, we shall certainly find ourselves contemplating a personage of very inferior pretensions, although one whose powers were of the most useful description. Mr. Dundas, afterwards Lord Melville, had no claim whatever to those higher places among the orators of his age, which were naturally filled by the great men whom we have been describing; nor indeed could he be deemed *inter oratorum numerum* at all. He was a plain, business-like speaker; a man of every-day talents in the House; a clear, easy, fluent, and, from much practice, as well as strong and natural sense, a skilful debater; successful in profiting by an adversary's mistakes; distinct in opening a plan and defending a Ministerial proposition; capable of producing even a great effect upon his not unwilling audience by his broad and coarse appeals to popular prejudices, and his confident statements of facts—those statements which, Sir Francis Burdett once happily observed, "men fall into through an inveterate habit of official assertion." In his various offices no one was more useful. He was an admirable man of business; and those professional habits which he had brought from the bar (where he practised long enough for a youth of his fortunate family to reach the highest official place) were not more serviceable to him in making his speeches perspicuous, and his reasoning logical, than they were in

disciplining his mind to the drudgery of the desk, and helping him to systematize, as well as to direct, the machinery of his department. After quitting the profession of the law, to which, indeed, he had for some of the later years of Lord North's Administration only nominally belonged, and leaving also the office of Lord Advocate, which he retained for several years after, he successively filled the place of Minister for India, for the Home and War Departments, and for Naval Affairs. but it was in the first of these capacities, while at the head of the India Board, and while Chairman of the Committee of the Commons upon India, that his great capacity for affairs shone chiefly forth; and that he gave solid and long-continued proof of an indefatigable industry, which neither the distractions of debate in Parliament, nor the convivial habits of the man and of the times, ever could interrupt or relax. His celebrated Reports upon all the complicated questions of our Asiatic policy, although they may not stand a comparison with some of Mr. Burke's in the profundity and enlargement of general views, any more than their style can be compared with his, are nevertheless performances of the greatest merit, and repositories of information upon that vast subject, unrivalled for clearness and extent. They, together with Lord Wellesley's Despatches, form the sources from which the bulk of all the knowledge possessed upon Indian matters is to be derived by the statesmen of the present day.

If in his official departments, and in the contests of Parliament, Mr. Dundas rendered valuable service, and possessed great weight, it was in Scotland, his native country, whose language he spoke, and whose whole affairs he directed, that his power and his authority chiefly prevailed. Before the reform in our representation and our municipal institutions, the undisturbed possession of patronage by a leading member of the Government was very sure to carry along with it a paramount influence, both over the representatives

of that ancient kingdom and over their constituents. Why the submission to men in high place, and endowed with the power of conferring many favours, should have been so much more absolute in the northern than in the southern parts of our island, it would be needless to inquire. Whether it arose from the old feudal habits of the nation, or from its poverty, joined with a laudable ambition to rise in the world above the pristine station, or from the wary and provident character of the people; certain it is that they displayed a devotion for their political superiors, and a belief in their infallibility, which would have done no discredit to the clansmen of those chieftains who whilom both granted out the lands of the sept, retained the stipulated services of the vassal, and enjoyed the rights of jurisdiction and of punishment, whereby obedience was secured, and zealous attachment stimulated in its alliance with wholesome terror.

That Mr. Dundas enjoyed this kind of ministerial sovereignty, and received this homage in a more ample measure than any of his predecessors, was, no doubt, owing partly to the unhesitating and unqualified determination which regulated his conduct, of devoting his whole patronage to the support of his party, and to the extent of that patronage, from his being so long minister for India, as well as having the whole Scottish preferment at his absolute disposal; but it was also in part owing to the engaging qualities of the man. A steady and determined friend, who only stood the faster by those that wanted him the more; nay, who even in their errors or their faults would not give up his adherents: an agreeable companion, from the joyous hilarity of his manners; void of all affectation, all pride, all pretension; a kind and affectionate man in the relations of private life; and, although not always sufficiently regardful of strict decorum in certain particulars, yet never putting on the Pharisee's garb, or affecting a more "gracious state" than he had

attained; friendly, self-denying to those inferiors in his department whose comforts so much depended upon him; in his demeanour hearty and good-humoured to all—it is difficult to figure any one more calculated to win over those whom his mere power and station had failed to attach; or better fitted to retain the friends whom accident or influence might originally have attached to his person.

That he should for so many years have disposed of the votes in Parliament of nearly the whole Scottish commoners, and of the whole Peers, was, therefore, little to be wondered at; that his popularity and influence in the country at large should have been boundless during all this period, is as easily to be understood. There was then no doubt ever raised of the ministry's stability, or of Mr. Dundas's ample share in the dispensation of its favours. The political sky was clear and settled to the very verge of the horizon. There was nothing to disturb the hearts of anxious mortals. The wary and pensive Scot felt sure of his election, if he but kept by the true faith; and his path lay straight before him—the path of righteous devotion leading unto a blessed preferment. But our Northern countrymen were fated to be visited by some troubles. The heavens became overcast; their luminary was for a while concealed from devout eyes; in vain they sought him, but he was not. Uncouth names began to be named. More than two parties were talked of. Instead of the old, convenient, and intelligible alternative of "Pitt or Fox"—"place or poverty,"—which left no doubt in any rational mind which of the two to choose, there was seen—strange sight!—hateful and perplexing omen!—a Ministry without Pitt, nay, without Dundas, and an Opposition leaning towards its support. Those who are old enough to remember that dark interval may recollect how the public mind in Scotland was subdued with awe, and how men awaited in trembling silence the

uncertain event, as all living things quail during the solemn pause that precedes an earthquake.

It was in truth a crisis to try men's souls. For a while all was uncertainty and consternation; all were seen fluttering about like birds in an eclipse or a thunder-storm; no man could tell whom he might trust; nay, worse still, no man could tell of whom he might ask anything. It was hard to say, not who were in office, but who were likely to remain in office. All true Scots were in dismay and distraction. It might truly be said they knew not which way to look, or whither to turn. Perhaps it might be yet more truly said that they knew not *when* to turn. But such a crisis was too sharp to last; it passed away; and then was to be seen a proof of Mr. Dundas's power amongst his countrymen, which transcended all expectation, and almost surpassed belief, if indeed it is not rather to be viewed as an evidence of the acute foresight—the political second-sight—of the Scottish nation. The trusty band in both Houses actually were found adhering to him against the existing Government; nay, though in open opposition, he held the proxies of many Scottish Peers! Well might his colleague exclaim to the hapless Addington in such unheard-of troubles, "Doctor, the Thanes fly from us!" When the very Scotch Peers wavered, and when the Grampian hills might next be expected to move about, it was time to think that the end of all things was at hand: and the return of Pitt and security, and patronage and Dundas, speedily ensued to bless old Scotland, and reward her providence or her fidelity—her attachment at once to her patron and to herself.

The subject of Lord Melville cannot be left complete without some mention of the event which finally deprived him of place and of power, though it hardly ever lowered him in the respect and affections of his countrymen. We allude, of course, to the Resolutions

carried by Mr. Whitbread on the 8th of April, 1805, with the Speaker's casting voice, which led to the immediate resignation, and subsequent impeachment, of this distinguished person. Mr. Pitt defended him strenuously, and only was compelled to abandon his friend and colleague by the vote of the Commons, which gave him a "bitter pang," that as he pronounced the word made the hall resound, and seems yet to fill the ear. But after his death, while the Government was in his rival's hands, and all the offices of the State were filled with the enemies of the accused, Lord Melville was brought to trial before his Peers, and by a large majority acquitted, to the almost universal satisfaction of the country. Have we any right to regard him as guilty after this proceeding? It is true that the spirit of party is charged with the event of this memorable trial; but did nothing of that spirit preside over the proceedings in the Commons, the grand inquest of the nation, which made the presentment, and put the accused upon his trial? That Lord Melville was a careless man, and wholly indifferent about money, his whole life had shown. That he had replaced the entire sum temporarily used, was part even of the statement which charged him with misemploying it. That Mr. Pitt, whom no one ever accused of corruption, had been a party to two of his supporters using four times as much of the public money for a time, and without paying interest, was soon after proved; though, for the purpose of pressing more severely upon Lord Melville, a great alacrity was shown to acquit the Prime Minister, by way of forming a contrast to the Treasurer of the Navy. In a word, the case proved against him was not by any means so clear as to give us the right to charge the great majority of his Peers with corrupt and dishonourable conduct in acquitting him; while it is a known fact that the Judges who attended the trial were, with the exception of the Lord Chief

Justice, all clearly convinced of his innocence. Nor, let it be added, would the charge against him have been deemed, in the times of the Harleys and the Walpoles, of a nature to stain his character. Witness Walpole rising to supreme power after being expelled the House of Commons for corruption; and after having only urged, in his own defence, that the thousand pounds paid to him by a contractor had been for the use of a friend, whom he desired to favour, and to whom he had paid it all over; not to mention his having received above seventeen thousand pounds, under circumstances of the gravest suspicion, the day before he quitted office, and which he never seems to have accounted for, except by saying he had the King's authority to take it.* It is very certain that these remarks will give little satisfaction to those whose political principles have always kept them apart from, and inimical to, Lord Melville. But to what

* Mr. Coxe, in his life of Walpole, cannot of course, put the defence on higher ground than Walpole himself took as to the 1000*l.* received on the contract, in 1711, when he was Secretary at War.—As to the sum reported by the House of Commons' Committee (17,461*l.*) to have been obtained by him in 1712, on the authority of two Treasury orders, the biographer's main argument is, that the money must have been immediately wanted for public purposes, though these never were particularized, and that the king must have approved of the draft, because he signed the warrants. A weaker defence cannot well be conceived; nor is it much aided by the assertion which follows, that Sir Robert began writing a vindication of himself, which he broke off "on a conviction that his answer must either have been materially defective, or he must have related many things highly improper to be exposed to the public." The fact of a man, with an estate of about 2000*l.* a-year at first, and which never rose to much above 4000*l.*, having lived extravagantly, and amassed above 200,000*l.*, is not at all explained by Mr. Coxe; and it is mainly on this expensive living and accumulation of fortune that the suspicions which hang over his memory rest. But it is needless to say more upon a topic which could form no justification of Lord Melville if he were guilty. The subject is only alluded to in this place for the purpose of showing how much more pure our public men now are, and how much higher is our standard of official virtue. The acquittal of Lord Melville was deemed insufficient to sanction his restoration to office; although Sir Robert Walpole, without any attempt to rescind the vote of 1712, was afterwards advanced to the place of Prime Minister, and held it for twenty years.

purpose have men lived for above thirty years after the trial, and survived the object of the charge more than a quarter of a century, if they cannot now, and upon a mere judicial question, permit their judgments to have a free scope,—deciding calmly upon events that belong to the history of the past, and involve the reputation of the dead?

MR. ERSKINE.

THE Ministry of Mr. Pitt did not derive more solid service from the Bar in the person of Mr. Dundas, than the Opposition party did ornament and popularity in that of Mr. Erskine. His parliamentary talents, although they certainly have been underrated, were as clearly not the prominent portion of his character. Nevertheless, it must be admitted that, had he appeared in any other period than the age of the Foxes, the Pitts, and the Burkes, there is little chance that he would have been eclipsed even as a debater; and the singular eloquence and powerful effect of his famous speech against the Jesuit's Bark Bill, in the House of Lords,* abundantly proves this position. He never appears to have given his whole mind to the practice of debating; he had a very scanty provision of political information; his time was always occupied with the laborious pursuits of his profession; he came into the House of Commons, where he stood among several equals, and behind some superiors, from a stage where he shone alone, and without a rival. Above all, he was accustomed to address a select and friendly audience, bound to lend him their patient attention, and to address them by the compulsion of his retainer, not as a volunteer coming forward in his own person; a position from which the transition is violent and extreme, to that of having to gain and to keep a promiscuous and, in great part, hostile audience, not under any obligation to listen one instant beyond the

* 1808.

time during which the speaker can flatter, or interest, or amuse them. Earlier practice and more devotion to the pursuit would doubtless have vanquished all these disadvantages; but they sufficed to keep Mr. Erskine always in a station far beneath his talents as long as he remained in the House of Commons.

It is to the Forum, and not the Senate, that we must hasten, if we would witness the "coronam multiplicem, judicium erectum, crebras assensiones, multas admirationes, risum cum velit, cum velit fletum —in Scenâ Roscium;" in fine, if we would see this great man in his element and in his glory. Nor let it be deemed trivial, or beneath the historian's province, to mark that noble figure, every look of whose countenance is expressive, every motion of whose form graceful; an eye that sparkles and pierces, and almost assures victory, while it "speaks audience ere the tongue." Juries have declared that they felt it impossible to remove their looks from him when he had riveted and, as it were, fascinated them by his first glance; and it used to be a common remark of men who observed his motions, that they resembled those of a blood-horse; as light, as limber, as much betokening strength and speed, as free from all gross superfluity or incumbrance. Then hear his voice of surpassing sweetness, clear, flexible, strong, exquisitely fitted to strains of serious earnestness, deficient in compass, indeed, and much less fitted to express indignation, or even scorn, than pathos, but wholly free from either harshness or monotony. All these, however, and even his chaste, dignified, and appropriate action, were very small parts of this wonderful advocate's excellence. He had a thorough knowledge of men—of their passions and their feelings—he knew every avenue to the heart, and could at will make all its chords vibrate to his touch. His fancy, though never playful in public, where he had his whole faculties under the most severe control, was lively and

brilliant; when he gave it vent and scope, it was eminently sportive; but while representing his client, it was wholly subservient to that in which his whole soul was wrapped up, and to which each faculty of body and of mind was subdued—the success of the cause. His argumentative powers were of the highest order; clear in his statements, close in his applications, unwearied and never to be diverted in his deductions; with a quick and sure perception of his point, and undeviating in the pursuit of whatever established it; endued with a nice discernment of the relative importance and weight of different arguments, and the faculty of assigning to each its proper place, so as to bring forward the main body of the reasoning in bold relief, and with its full breadth, and not weaken its effect by distracting and disturbing the attention of the audience among lesser particulars. His understanding was eminently legal. Though he had never made himself a great lawyer, yet could he conduct a purely legal argument with the most perfect success; and his familiarity with all the ordinary matters of his profession was abundantly sufficient for the purposes of the forum. His memory was accurate and retentive in an extraordinary degree; nor did he ever, during the trial of a cause, forget any matter, how trifling soever, that belonged to it. His presence of mind was perfect in action, that is, before the jury, when a line is to be taken upon the instant, and a question risked to a witness, or a topic chosen with the tribunal, on which the whole fate of the cause may turn. No man made fewer mistakes; none left so few advantages unimproved; before none was it so dangerous for an adversary to slumber and be off his guard; for he was ever broad awake himself, and was as adventurous as he was skilful; and as apt to take advantage of any the least opening as he was cautious to leave none in his own battle.

But to all these qualities he joined that fire, that

spirit, that courage, which gave vigour and direction to the whole, and bore down all resistance. No man, with all his address and prudence, ever adventured upon more bold figures, and they were uniformly successful; for his imagination was vigorous enough to sustain any flight; his taste was correct, and even severe, and his execution felicitous in the highest degree. Without much familiar knowledge of even the Latin classics; with hardly any access to the beauties of the Attic eloquence, whether in prose or verse; with no skill in modern languages; his acquaintance with the English tongue was yet so perfect, and his taste so exquisite, that nothing could exceed the beauty of his diction, whatever subject he attempted; whether discoursing on the most humble topics, of the most ordinary case in court or in society, or defending men for their lives, under the persecution of tyrannical power, wrestling against the usurpations of Parliament in favour of the liberty of the press, and upholding against the assaults of the infidel the fabric of revealed religion. Indeed the beauty, as well as chaste simplicity, of the language in which he would clothe the most lowly subjects reminded the classical scholar of some narratives in the Odyssey, where there is not one idea that rises above the meanest level, and yet all is made graceful and elegant by the magic of the diction. Aware that his classical acquirements were so slender, men oftentimes marvelled at the phenomenon of his eloquence, above all, of his composition. The solution of the difficulty lay in the constant reading of the old English authors to which he devoted himself: Shakspeare he was more familiar with than almost any man of his age; and Milton he nearly had by heart. Nor can it be denied that the study of the speeches in 'Paradise Lost' is as good a substitute as can be found for the immortal originals in the Greek models, upon which those great productions have manifestly been formed.

Such was his oratory; but oratory is only the half, and the lesser half, of the *Nisi Prius* advocate; and Mr. Erskine was never known to fail in the more important moiety of the part he had to sustain. The entire devotion to his cause which made him reject everything that did not help it forward, and indignantly scorn all temptation to sacrifice its smallest point for any rhetorical triumph, was not the only virtue of his advocacy. His judgment was quick, sound, and sure, upon each successive step to be taken; his decision bold, but cautious and enlightened, at each turn. His speaking was hardly more perfect than his examination of witnesses, the art in which so much of an English advocate's skill is shown; and his examination-in-chief was as excellent as his cross-examination; a department so apt to deceive the vulgar, and which yet is, generally speaking, far less available, as it hardly ever is more difficult, than the examination-in-chief, or in reply. In all these various functions, whether of addressing the jury, or urging objections to the court, or examining his own witnesses, or cross-examining his adversary's, this consummate advocate appeared to fill at one and the same time different characters; to act as the counsel and representative of the party, and yet to be the very party himself; while he addressed the tribunal, to be also acquainted with every feeling and thought of the judge or the jury; and while he interrogated the witness, whether to draw from him all he knew, and in the most favourable shape, or to shake and displace all he had said that was adverse, he appeared to have entered into the mind of the person he was dealing with, and to be familiar with all that was passing within it. It is by such means that the hearer is to be moved, and the truth ascertained; and he will ever be the most successful advocate who can approach the nearest to this lofty and difficult position.

The speeches of this great man are preserved to us with a care and correctness which those only of Mr. Burke, Mr. Windham, Mr. Canning, and Lord Dudley, among all the orators of whom this work treats, can boast. He had a great facility of composition; he wrote both much and correctly. The five volumes which remain were all revised by himself; most of them at the several times of their first publication. Mr. Windham, too, is known to have left most of his speeches written out correctly in his own hand. The same care was bestowed upon their speeches by the others just named. Neither those of Mr. Fox, or Mr. Pitt, nor, with one or two exceptions, of Mr. Sheridan, ever enjoyed the same advantages; and a most unfair estimate would therefore be formed of their eloquence, as compared with that of others, were men only to build their judgment upon the records which the Parliamentary Debates present.

Of Mr. Erskine's, the first, beyond all doubt, was his speech for Stockdale, foolishly and oppressively prosecuted by the House of Commons, for publishing the Rev. Mr. Logan's eloquent tract upon Hastings's impeachment. There are no finer things in modern, and few finer in ancient eloquence than the celebrated passage of the Indian Chief; nor has beautiful language ever been used with more curious felicity to raise a striking and an appropriate image before the mind, than in the simile of the winds "lashing before them the lazy elements, which without the tempest would stagnate into pestilence." The speeches on Constructive Treason are also noble performances; in which the reader never can forget the sublimity of the denunciation against those who took from the "file the sentence against Sidney, which should have been left on record to all ages, that it might arise and blacken in the sight, like the handwriting on the wall before the Eastern tyrant, to deter from outrages upon justice." One or two of the speeches upon Seduction,

especially that for the defendant in *Howard* v. *Bingham*, are of exquisite beauty.

It remains that we commemorate the deeds which he did, and which cast the fame of his oratory into the shade. He was an undaunted man; he was an undaunted advocate. To no Court did he ever truckle, neither to the Court of the King, neither to the Court of the King's Judges. Their smiles and their frowns he disregarded alike in the fearless discharge of his duty. He upheld the liberty of the press against the one; he defended the rights of the people against both combined to destroy them. If there be yet amongst us the power of freely discussing the acts of our rulers; if there be yet the privilege of meeting for the promotion of needful reforms; if he who desires wholesome changes in our Constitution be still recognized as a patriot, and not doomed to die the death of a traitor; let us acknowledge with gratitude, that to this great man, under Heaven, we owe this felicity of the times. In 1794, his dauntless energy, his indomitable courage, kindling his eloquence, inspiring his conduct, giving direction and lending firmness to his matchless skill, resisted the combination of statesmen, and princes, and lawyers—the league of cruelty and craft, formed to destroy our liberties—and triumphantly scattered to the winds the half-accomplished scheme of an unsparing proscription. Before such a precious service as this, well may the lustre of statesmen and of orators grow pale; and yet this was the achievement of one only, not the first orator of his age, and not among its foremost statesmen, because he was beyond all comparison the most accomplished advocate, and the most eloquent, that modern times have produced.

The disposition and manners of the man were hardly less attractive than his genius and his professional skill were admirable. He was, like almost all great men, simple, natural, and amiable; full of

humane feelings and kindly affections. Of wit he had little or none in conversation; and he was too gay to take any delight in discussion; but his humour was playful to buoyancy, and wild even to extravagance; and he indulged his roaming and devious and abrupt imagination as much in society, as in public he kept it under rigorous control. That his private character was exempt from failings can in no wise be affirmed. The egotism which was charged upon his conversation, and in which he only seemed to adopt the habit of the forensic leaders of his times, was wholly unmixed with anything offensive to others; though it might excite a smile at his own expense. Far from seeking to raise himself by their depression, his vanity was of the best-natured and least selfish kind; it was wholly social and tolerant, and, as it were, gregarious; nay, he always seemed to extol the deeds of others with fully more enthusiasm than he ever displayed in recounting his own. But there were darker places to be marked, in the extreme imprudence with which some indulgences were sought, and unfortunate connexions, even late in life, formed. Lord Kenyon, who admired and loved him fervently, and used always to appear as vain of him as a schoolmaster of his favourite pupil, though himself rigorous to the point of asceticism, was wont to call these imperfections, viewing them tolerantly, "spots in the sun;" and it must with sorrow be added, that as the lustre of the luminary became more dim, the spots did not contract in their dimensions. The usual course on such occasions is to say, *Taceamus de his*,—but History neither asserts her greatest privilege, nor discharges her higher duties, when, dazzled by brilliant genius, or astonished by splendid triumphs, or even softened by amiable qualities, she abstains from marking those defects which so often degrade the most sterling worth, and which the talents and the affections that they accompany may sometimes seduce men to imitate.

The striking and imposing appearance of this great man's person has been mentioned. His Herculean strength of constitution may also be noted. During the eight-and-twenty years that he practised at the bar, he never was prevented for one hour from attending to his professional duties. At the famous State Trials in 1794, he lost his voice on the evening before he was to address the Jury. It returned to him just in time, and this, like other felicities of his career, he always ascribed to a special providence, with the habitually religious disposition of mind which was hereditary in the godly families that he sprung from.

MR. PERCEVAL.

A PERSON of great eminence, who, like Mr. Erskine, arose from the Bar, where, however, he never distinguished himself much, was Mr. Perceval, a man of very quick parts, much energy of character, dauntless courage joined to patient industry, practised fluency as a speaker, great skill and readiness as a debater; but of no information beyond what a classical education gives the common run of English youths. Of views upon all things the most narrow, upon religious and even political questions the most bigoted and intolerant, his range of mental vision was confined in proportion to his ignorance on all general subjects. Within that sphere he saw with extreme acuteness,—as the mole is supposed to be more sharp-sighted than the eagle for half a quarter of an inch before it; but as beyond the limits of his little horizon he saw no better than the mole, so like her, he firmly believed, and always acted on the belief, that beyond what he could descry nothing whatever existed; and he mistrusted, dreaded, and even hated all who had an ampler visual range than himself. But here all likeness ceases between the puny animal and the powerful statesman. Beside the manifest sincerity of his convictions, attested, perhaps, by his violence and rancour, he possessed many qualities, both of the head and the heart, which strongly recommended him to the confidence of the English people. He never scared them by refinements, nor alarmed their fears by any sympathy with improvements out of the old and beaten track; and he shared largely in all their favourite national pre-

judices. A devoted adherent of the Crown, and a pious son of the Church, he was dear to all who celebrate their revels by libations to Church and King—most of whom regard the clergy as of far more importance than the gospel—all of whom are well enough disposed to set the monarch above the law. Add to this, the accidental qualification of high birth, in a family excessively attached to the Court and the Establishment, and still more the real virtues which adorned his character; a domestic life without stain, an exemplary discharge of the duties that devolve on the father of a numerous family, a punctual performance of all his obligations, a temper which, though quick and even irritable, was generally good, a disposition charitable and kind where the rancour of party or sect left his nature free scope. From all sordid feelings he was entirely exempt—regardless of pecuniary interest—careless of mere fortune—aiming at power alone—and only suffering his ambition to be restrained by its intermixture with his fiery zeal for the success of his cherished principles, religious and civil. The whole character thus formed, whether intellectual or moral, was eminently fitted to command the respect and win the favour of a nation whose prejudices are numerous and deep-rooted, and whose regard for the decencies of private life readily accepts a strict observance of them as a substitute for almost any political defect, and a compensation for many political crimes.

The eloquence of Mr. Perceval, any more than his capacity, was not of the highest order; although, like his capacity, it was always strenuously exerted, and sometimes extremely powerful. He was a person of acute and quick rather than of great faculties. At the bar his success was assured, if he had not deviated into politics; giving a rival to that mistress which is jealous to excess of the least infidelity in her suitor. The nimbleness of mind and industry of application which there distinguished him he brought into the

House of Commons; and, unlike other lawyers, he was always so lively as to be heard without any effort in a place far enough from being enamoured with the gown. As Attorney-General to Mr. Addington, and bearing almost the whole burthen of the unequal debate, while the forces of Fox, Pitt, and Windham combined to assail the meagre Treasury Bench, his talents sparkled with peculiar brightness. His dexterity in any great or any personal conflict; his excellent language, always purely but unaffectedly English, nor ever chargeable with incorrect taste; his attention constantly awake, and his spirit ever dauntless, nay, rather rising with the emergency—gained him very great reputation as a ready and a powerful debater. When quitting the profession in 1807, and taking the lead of the House of Commons, he appeared as the first minister in all but name, and afterwards, on the Duke of Portland's death, had the title with the functions of Premier, his success was inferior; and he did not for some time act up to the reputation which he had gained in the subordinate and half-professional station.

But then came the debates upon the Regency in 1811, when he fought, almost single-handed, a battle for royal prerogative against constitutional principle; with the prospect of the regent being his principal opponent, as his original connexion with Queen Caroline had made him his implacable enemy. These contests drew forth all his abilities, and placed him at once in the highest rank of debaters. His party too were popular in the country, fond of Kings, particularly attached to George III., distrustful and averse towards his successor, above all, deeply revering the Established Church, whose selected and zealous champion the minister had long been. His manner of speaking, familiar though quick, lively, smart, yet plain upon the whole, and offending no one by figures or by tropes, was exceedingly popular in the House

of Commons, where the dullest have no dislike to an acute and clear leader, so he be not over brilliant and witty. He was a man of business too in all his habits, both of living and of speaking; opening a dry question of finance or regulation, with as great spirit as he would reply to a personal attack: above all, his gallantry in debate well fitted him for a leader. Whoever might quail before a powerful adversary, or faint under the pressure of a bad cause, or take fright in a storm of popular contention and even indignation, he was not the man; rather the louder raged the tempest, so much the shriller rose the voice that called his forces together, and united them for the work of the day, whether to face the enemy or to weather the gale. Even in 1809, when the firmness of the Royal family and the Ministry was sorely tried, but above all, of him, a pattern of morality, a strict observer of ordinances, a somewhat intolerant exactor of piety in others —of him who, beyond all men, must have found it hard to face the moral or religious indignation of the whole country, roused by the veil being for a moment torn rudely aside which had hitherto covered over the tender immoralities of Royal life—even then the person most likely to be struck down by the blast was the first to face it, and to struggle on manfully through the whole of that difficult crisis, as if he had never spoken of the Church, and the moral law, and wives and children, and domestic ties, and the profligacy of courts; as if the people, of all sects and all classes, were looking on, the calm spectators of an ordinary debate. The public voice rendered him on this occasion the justice ever done to men who show in performing their duty that they have the courage to disregard clamour, and to rely upon their reputation as a shield against misconstruction. No stain rested upon his character from his gallant defence of the Duke of York; and they who were successful in attacking the fair fame of the Prince, failed in all their

attempts to blacken his official defender. In the next Session he met Parliament with a Ministry crippled by the loss of both Mr. Canning's eloquence, and Lord Castlereagh's manly courage, and long experience of affairs; met it too, after such a signal calamity as never before had attended any failure of the Government in its military operations. But he again presented the same undaunted front to all perils; and having happily obtained the co-operation of Lord Wellesley, and continuing to enjoy the benefit of his illustrious brother's victories, he again triumphed over all opposition, until the Prince Regent's desertion of his friends seemed to give the Tory party a lease of their places during his life.

This eminent person's career was cut short while in the midst of the most difficult struggle of all in which he was fated to engage. The influence of his friend Mr. Stephen over his mind was unbounded. Agreeing on all political questions, and alike in the strength of their religious feelings, although the one leant towards the High Church party, and the other was a Low Churchman—upon all questions connected with neutral rights, he in an especial manner deferred to the opinion of him whose professional life had been chiefly passed in the discussion of them. Accordingly the measure of the Orders in Council devised by him was readily adopted by the minister, who, never giving either his support or his opposition by halves, always flung himself into any cause which he espoused with as much zeal as if it were his own. Add to this, his hearty and deep-rooted hatred of Napoleon, whom he regarded with the true feelings of the people, as he accurately represented their national prejudices; the scorn of the Americans, whom he disliked with the animosity peculiar to all the courtiers of George III.; his truly English feeling in favour of obtaining through the war a monopoly of all trade, and bringing into London and Bristol the commerce of the world—

all these desires were gratified, and these feelings indulged, by a system which, under the mask of retaliation upon France, professed to extinguish, or to absorb into our own commerce, the trade of all the neutrals whom France had oppressed in order to injure us; and Mr. Perceval thus became as strenuous a champion of this unjust and preposterous plan as its author himself. In 1808 he had prevailed with Parliament to give it a full trial; and in four years, instead of collecting all the trade of the world into England, it had effectually ruined whatever Napoleon's measures had left of our own.

Accordingly, a motion was carried at the end of April, 1812, for examining the question in a committee of the whole house, and in taking the evidence which was adduced to show the ruinous effects of the system, he with Mr. Stephen bore night after night the principal part. As they both hoped that the clamour out of doors would subside if time were given, the struggle always was to put off the inquiry, and thus to protract the decision; and Messrs. Brougham and Baring, who conducted it, with some difficulty prevailed so far as to begin the examination of the witnesses exactly at half-past four o'clock. On the 11th of May, Mr. Perceval had been later than the appointed time, and after complaining of this delay, Mr. Brougham, at a quarter before five, had called his first witness, and was examining him, when a messenger deputed to bring the minister met him walking towards the house with Mr. Stephen arm-in-arm. He instantly, with his accustomed activity, darted forward to obey the summons, but for which Mr. Stephen, who happened to be on his left side, would have been the victim of the assassin's blow, which prostrated Mr. Perceval as he entered the lobby. The wretched man, by name Bellingham, had no kind of quarrel with him; but complained of a suit at St. Petersburgh having been neglected by our ambassador there, Lord Gran-

ville, whom he intended to have destroyed had not Mr. Perceval fallen first in his way. He never attempted to escape; but was taken, committed, tried, condemned, executed, dissected, all within one week from the time that he fired the shot. So great an outrage upon justice never was witnessed in modern times; for the application to delay the trial, until evidence of his insanity could be brought from Liverpool, was refused; and the trial proceeded, while both the court, the witnesses, the jury, and the people, were under the influence of the feelings naturally excited by the deplorable slaughter of one of the most eminent and virtuous men in any rank of the community.

It has been said already that Mr. Perceval was both imperfectly educated and very narrow minded. He was the slave of violent prejudices, and had never made any effort to shake them off, or to mitigate them by instructing himself in any of the branches of learning out of his own profession, save only that he had the ordinary portion of classical learning which all English gentlemen acquire in their early youth. How amiable soever in private life, he was intolerant of others who differed with him in the proportion of his ignorance; and committed the error of all such conscientious but bigoted men, the forgetting that those of opposite sentiments have exactly the same excuse for unyielding obstinacy that they have for rooted dislike towards adverse doctrines. They feel all the heat of intolerance, but make no kind of allowance for others feeling somewhat of the fire which burns so fiercely within themselves.

LORD GRENVILLE.

THE two eminent personages of whom we have been speaking, were Mr. Pitt's contemporaries and political adherents, though of a less advanced age. But Lord Grenville was of his own standing, followed his fortune during the eventful period of the coalesced opposition and the first French war, left office with him in 1801, nor quitted him until he consented to resume it in 1804, preferring place to character, and leaving the Whigs, by whose help he had overthrown the Addington Administration. From that moment Lord Grenville joined the Whig party, with whom to the end of his public life he continued to act.

A greater accession to the popular cause and the Whig party it was impossible to imagine, unless Mr. Pitt himself had persevered in his desire of rejoining the standard under which his first and noblest battles were fought. All the qualities in which their long opposition and personal habits made them deficient, Lord Grenville possessed in an eminent degree. Long habits of business had matured his experience and disciplined his naturally vigorous understanding. A life studiously regular had surrounded him with the respect of his countrymen, and of those whom the dazzling talents of others could not blind to their loose propensities or idle habits. A firm attachment to the Church as by law established attracted towards him the confidence of those who subscribe to its doctrines and approve its discipline; while his tried prudence and discretion were a balance much wanted against the opposite defects of the Whig party, and especially of their most celebrated leader.

After Mr. Grattan, it would be difficult to point out any person to whom the great and fundamental question of Irish Policy, and the cause of religious liberty in general, was so much indebted as Lord Grenville;* while, in the sacrifices which he made to it, he certainly much exceeded Mr. Grattan himself. He was enabled to render this valuable service to his country, not more by his natural abilities, which were of a very high order—sound judgment, extraordinary memory, an almost preternatural power of application—and by the rich stores of knowledge which those eminent qualities had put him in possession of, than by the accidental circumstances in his previous history and present position—his long experience in office, which had tried and matured his talents in times of unexampled difficulty—his connexion with Mr. Pitt, both in the kindred of blood and of place, so well fitted to conciliate the Tory party, or at all events to disarm their hostility, and lull their suspicions—above all, the well-known and steady attachment of himself and his family to the principles and the establishment of the Church of England.

When, therefore, he quitted power with Mr. Pitt in 1801, rather than abandon the Catholic Emancipation, the carrying of which had only a year before been held out as one of the principal objects of the Union; and when, in 1804, he peremptorily refused to join Mr. Pitt in resuming office, unless a ministry should

* The plan of this work of course precludes all reference, at least all detailed reference, to the conduct and the merits of living statesmen. But for this an ample field would be opened, in which to expatiate upon the transcendent services of Lord Grey, and the ample sacrifices which he made, during the greater part of his political life, to the rights and the interests of the Irish people.—Lord Wellesley's services in the same cause, it is also, for the same reason, impossible to enter upon, further than to remind the reader that, after having almost begun life as the advocate of the Catholic claims, he, and after him Lord Anglesey, first set the example to succeeding Viceroys of ruling Ireland with the most perfect justice to all parties, and holding the balance of favour even, with a steady hand, between Catholic and Protestant, Churchman and Dissenter.

be formed upon a basis wide enough to comprehend the Whig party; the cause of liberal, tolerant principles, but, above all, the Irish question, gained an able supporter, whose alliance, whether his intrinsic or accidental qualities were considered, might justly be esteemed beyond all price. The friends of civil and religious liberty duly valued this most important accession; and the distinguished statesman whom they now accounted as one of their most powerful champions, and trusted as one of their most worthy leaders, amply repaid the confidence reposed in him, by the steady and disinterested devotion which, with his characteristic integrity and firmness, he gave to the cause. Taking office with Mr. Fox, and placed at the head of the government, upon the death of that great man he peremptorily, and with bare courtesy, rejected all the overtures of the King to separate from the Whigs, and rejoin his ancient allies of the Pitt school. Soon afterwards, in firm union with the remains of the Fox party, he carried the Abolition of the Slave Trade, and retired from power, rather than bind himself not to press the Catholic Emancipation upon the narrow-minded though conscientious Prince whom he served. Continuing in close alliance with the Whigs, he shared with them the frowns of the Court and the habitual exclusion from office which has, for the most part, been their portion in public life. Nor can it be doubted that the perseverance with which he abided by his declared opinions in favour of the Catholic Question alone prevented him from presiding over the councils of his country, during, at the least, twenty years of his life. They who have come to the aid of the liberal cause only when its success made an adhesion to it the road to Court favour, with all its accompaniments of profit and of power, have a very different account of mutual obligation to settle with their country, from that which Lord Grenville could at any time since his retirement

have presented, but disdained ever even to hint at. But they who, after his powerful advocacy, his inflexible integrity, his heavy sacrifices, had all but carried the Irish question, have come forward to finish the good work, and have reaped every kind of gratification from doing their duty, instead of making a sacrifice of their interests like him, would do well, while they usurp all the glory of these successes, to recollect the men whose labours, requited with proscription, led the way to comparatively insignificant exertions, still more beneficial to the individuals that made them, than advantageous to the cause they served.

The endowments of this eminent statesman's mind were all of a useful and commanding sort—sound sense, steady memory, vast industry. His acquirements were in the same proportion valuable and lasting—a thorough acquaintance with business in its principles and in its details; a complete mastery of the science of politics as well theoretical as practical; of late years a perfect familiarity with political economy, and a just appreciation of its importance; an early and most extensive knowledge of classical literature, which he improved instead of abandoning, down to the close of his life; a taste formed upon those chaste models, and of which his lighter compositions, his Greek and Latin verses, bore testimony to the very last. His eloquence was of a plain, masculine, authoritative cast, which neglected if it did not despise ornament, and partook in the least possible degree of fancy, while its declamation was often equally powerful with its reasoning and its statement.

The faults of his character were akin to some of the excellences which so greatly distinguished it. His firmness was apt to degenerate into obstinacy; his confidence in the principles he held was not unmixed with contempt for those who differed from him. His unbending honesty and straightforward course of dealing with all men and all subjects not unfrequently

led him to neglect those courtesies which facilitate political and personal intercourse, and that spirit of conciliation which, especially in a mixed government chiefly conducted by party, sometimes enables men to win a way which they cannot force towards the attainment of important objects. Perhaps his most unfortunate prejudices were those which he had early imbibed upon certain matters of Ecclesiastical Polity, and which the accidental circumstance of his connexion with Oxford as Chancellor strengthened, to the exclusion of the reforming spirit carried by him into all institutions of a merely secular kind. Upon the Parliamentary constitution of the country he had no such alarms or scruples; and, although it is certain that he would have reformed it much more gradually than the long delay of the great measure rendered ultimately necessary, it is equally clear that he would have stopped short of no improvement which could be reasonably required, merely because it was a change. For he was in this greatest quality of a statesman pre-eminently distinguished, that, as he neither would yield up his judgment to the clamour of the people, nor suffer himself to be seduced by the influence of the Court, so would he never submit his reason to the empire of prejudice, or own the supremacy of authority and tradition.—"Reliqui sunt, qui mortui sunt—L. Torquatus, quem tu non tam cito rhetorem dixisses, etsi non deerat oratio, quam, ut Græci dicunt, πολιτικόν. Erant in eo plurimæ litteræ, nec eæ vulgares, sed interiores quædam et reconditæ, divina memoria, summa verborum et gravitas et elegantia: atque hæc omnia vitæ decorabat dignitas et integritas. Plena litteratæ senectutis oratio. Quanta severitas in vultû! Quantum pondus in verbis! Quam nihil non consideratum exibat ex ore! Sileamus de isto, ne augeamus dolorem. Nam et præteritorum recordatio est acerba, et acerbior expectatio reliquorum."*

* Cicero, Brutus, 266.

MR. GRATTAN.

THE name which we mentioned as superior to even Lord Grenville in services to the Irish question, recalls to mind one of the most eminent men of his age—Henry Grattan.

It would not be easy to point out any statesman or patriot, in any age of the world, whose fame stands higher for his public services; nor is it possible to name any one, the purity of whose reputation has been stained by so few faults, and the lustre of whose renown is dimmed by so few imperfections. From the earliest year at which he could appear upon the political stage, he devoted himself to state affairs. While yet in the prime of youth, he had achieved a victory which stands at the head of all the triumphs ever won by a patriot for his country in modern times; he had effected an important revolution in the Government, without violence of any kind, and had broken chains of the most degrading kind, by which the injustice and usurpation of three centuries had bound her down. Her immediate gratitude placed him in a situation of independence, which enabled him to consecrate the remainder of his days to her service, without the interruption arising from professional pursuits; and he continued to persevere in the same course of patriotism marked by a rare union of the moderation which springs from combined wisdom and virtue, with the firmness and the zeal which are peculiar to genius. No factious partizan, making devotion to the public cause a convenient and a safe mask for the attainment of his selfish interests, whether of sordid

avarice or of crawling ambition, ever found in Grattan either an instrument or an accomplice. No true friend of the people, inspired with a generous desire of extirpating abuses, and of extending the reign of freedom, ever complained of Grattan's slowness to join the untarnished banner of patriotism. No advocate of human improvement, filled with the sacred zeal of enlarging the enjoyments or elevating the condition of mankind, was ever damped in his aspirations by Grattan's coldness, or had reason to wish him less the advocate of Ireland and more the friend of his species.

The principal battle which he fought for his native country required him to embrace every great and difficult question of domestic policy; for the misrule and oppression exercised by England over the Irish people extended to all their commercial dealings, as well as to their political rights, and sought to fetter their trade by a complicated system of vexatious regulations, as well as to awe their legislators by an assumption of sovereignty, and to impose the fetters of a foreign jurisdiction upon the administration of justice itself. In no part of this vast and various field were Mr. Grattan's powers found to fail, or his acquirements to prove deficient; and he handled the details of fiscal and of mercantile policy with as much accuracy and as great address as he brought to the discussion of the broader and easier though more momentous subject—the great question of National Independence. He was left, on the achievement of his great triumph, in possession of as brilliant a reputation as man could desire; and it was unsullied by any one act either of factious violence, or of personal meanness, or of the inconsistency into which overmuch vehemence in the pursuit of praiseworthy objects is wont to betray even the most virtuous men. The popular favour which he enjoyed to so unexampled a degree, was destined in a short time to suffer an interruption, not unusual in the history of popular

leaders; and for refusing to join in the designs, of a more than doubtful origin, of men inferior in reputation of every kind, and of a more than doubtful honesty—men who proscribed as unworthy of the people's esteem all that acknowledged any restraints of moderation—he lived to see himself denounced by the factious, reviled by the unprincipled, and abandoned by their dupes, the bulk of the very nation whose idol he had so lately been.

The war with France, and the fear of revolutionary movements at home, rendered him for some years an alarmist; and he joined with those who supported the hostilities into which Mr. Pitt and the Portland seceders from the Whig party unhappily plunged the empire. But he carried his support of arbitrary measures at home a very short way, compared with the new allies of the Government in England; and the proceedings of the Irish Ministry, during and after the Rebellion, found in him an adversary as uncompromising as in the days of his most strenuous patriotism, and most dazzling popularity. Despairing of success by any efforts of the party in Parliament, he joined in the measure of secession adopted by the English Whigs, but after a manner far more reconcilable to a sense of public duty, as well as far more effective in itself, than the absurd and inconsistent course which they pursued, of retaining the office of representatives, while they refused to perform any of its duties, except the enjoyment of its personal privileges. Mr. Grattan and the leaders of the Irish opposition vacated their seats at once, and left their constituents to choose other delegates. When the Union was propounded, they again returned to their posts, and offered a resistance to it, which at first proved successful, and deferred for a year the accomplishment of a measure planned in true wisdom, though executed by most corrupt and corrupting means—a measure as necessary for the well-being of Ireland as

for the security of the empire at large. He entered the Imperial parliament in 1805, and continued, with the exception of the question upon the renewal of the war in 1815, a constant and most powerful coadjutor of the Whig party. Though he refused office when they came into power upon Mr. Pitt's death, he lent them a strenuous support upon all great questions, whether of English policy or of Irish, showing himself most conspicuously above the mean and narrow spirit that would confine a statesman's exertions to the questions which interest one portion of the empire, or with which his own fame in former times may have been more peculiarly entwined.

Among the orators, as among the statesmen of his age, Mr. Grattan occupies a place in the foremost rank; and it was the age of the Pitts, the Foxes, and the Sheridans. His eloquence was of a very high order, all but of the very highest, and it was eminently original. In the constant stream of a diction replete with epigram and point—a stream on which floated gracefully, because naturally, flowers of various hues, —was poured forth the closest reasoning, the most luminous statement, the most persuasive display of all the motives that could influence, and of all the details that could enlighten, his audience. Often a different strain was heard, and it was declamatory and vehement—or pity was to be moved, and its pathos was touching as it was simple—or, above all, an adversary sunk in baseness, or covered with crimes, was to be punished or to be destroyed, and a storm of the most terrible invective raged, with all the blights of sarcasm, and the thunders of abuse. The critic, led away for the moment, and unable to do more than feel with the audience, could in those cases, even when he came to reflect and to judge, find often nothing to reprehend; seldom in any case more than the excess of epigram, which had yet become so natural to the orator, that his argument and his narrative, and even his sagacious

unfolding of principles, seemed spontaneously to clothe themselves in the most pointed terseness, and most apt and felicitous antitheses. From the faults of his country's eloquence he was, generally speaking, free. Occasionally an over-fondness for vehement expression, an exaggeration of passion, or an offensive appeal to Heaven, might be noted; very rarely a loaded use of figures, and, more rarely still, of figures broken and mixed. But the perpetual striving after far-fetched quaintness; the disdaining to say any one thing in an easy and natural style; the contempt of that rule, as true in rhetoric as in conduct, that it is wise to do common things in the common way; the affectation of excessive feeling upon all things, without regard to their relative importance; the making any occasion, even the most fitted to rouse genuine and natural feeling, a mere opportunity of theatrical display—all these failings, by which so many oratorical reputations have been blighted among a people famous for their almost universal oratorical genius, were looked for in vain when Mr. Grattan rose, whether in the senate of his native country, or in that to which he was transferred by the Union. And if he had some peculiarity of outward appearance, as a low and awkward person, in which he resembled the first of orators, and even of manner, in which he had not, like him, made the defects of nature yield to severe culture; so had he one excellence of the very highest order, in which he may be truly said to have left all the orators of modern times behind—the severe abstinence which rests satisfied with striking the decisive blow in a word or two, not weakening its effect by repetition and expansion, —and another excellence higher still, in which no orator of any age is his equal, the easy and copious flow of most profound, sagacious, and original principles, enunciated in terse and striking, but appropriate language. To give a sample of this latter peculiarity would be less easy, and would occupy more space;

but of the former it may be truly said that Dante himself never conjured up a striking, a pathetic, and an appropriate image in fewer words than Mr. Grattan employed to describe his relation towards Irish independence, when, alluding to its rise in 1782, and its fall twenty years later, he said, "I sat by its cradle—I followed its hearse."

In private life he was without a stain, whether of temper or of principle; singularly amiable, as well as of unblemished purity, in all the relations of family and of society; of manners as full of generosity as they were free from affectation; of conversation as much seasoned with spirit and impregnated with knowledge as it was void of all asperity and gall. Whoever heard him in private society, and marked the calm tone of his judicious counsel, the profound wisdom of his sagacious observations, the unceasing felicity of his expressions, the constant variety and brilliancy of his illustrations, could well suppose that he had conversed with the orator whose wit and whose wisdom enlightened and guided the senate of his country; but in the playful hilarity of the companion, his unbroken serenity, his unruffled good nature, it would indeed have been a difficult thing to recognize the giant of debate, whose awful energies had been hurled, nor yet exhausted, upon the Corrys, the Duigenans, and the Floods.*

The signal failure of the latter, when transplanted to the English Parliament, suggests a reference to the same passage in the life of Mr. Grattan. Men were

* It is always a matter of difficulty to draw the character of a person who belongs to another, and, in some particulars, a very different country. This has been felt in making the attempt to give a sketch of Mr. Grattan; and whoever has read the most lively and picturesque piece of biography that was ever given to the world, Mr. C. Phillips's Recollections of Curran, will join in the regret here expressed, that the present work did not fall into hands so able to perform it in a masterly manner. The constant occupation consequent upon great professional eminence, has unfortunately withdrawn him from the walks of literature, in which he was so remarkably fitted to shine.

variously inclined to conjecture upon his probable success; and the singularity of his external appearance, and his manner of speaking, as well as his action, so unusual in the English Parliament, made the event doubtful, for some time, during his speech of 1805. Nor were there wanting those surrounding Mr. Pitt who foretold "that it would not do." That great debater and experienced judge is said to have for some moments partaken of these doubts, when the happy execution of some passage, not perhaps marked by the audience at large, at once dispelled them; and he pronounced to his neighbours an authoritative and decisive sentence, which the unanimous voice of the House and of the country forthwith affirmed.

This illustrious patriot died a few days after his arrival in London, at the beginning of June, 1820, having come with the greatest difficulty, and in a dying state, to attend his Parliamentary duties. A request was made to his family, that his remains might be buried in Westminster Abbey, instead of being conveyed for interment to Ireland; and this having been complied with, the obsequies were attended by all the more distinguished members of both Houses of Parliament. The following Letter containing the request was signed by the leaders of the liberal party. The beauty of its chaste composition was much and justly admired at the time; but little wonder was excited by it, when the author came to be known. It proceeded from the pen of one of our greatest poets and finest prose writers; who to this unstable fame adds the more imperishable renown of being also one of the most honourable men, and most uncompromising friends of civil and religious liberty, who have appeared in any age. The rare felicity of our times, in possessing two individuals to whom this description might be applied, — Rogers and Campbell — alone makes it necessary to add that the former is here meant.

"TO THE SONS OF MR. GRATTAN.

"Filled with veneration for the character of your father, we venture to express a wish, common to us with many of those who most admired and loved him, that what remains of him should be allowed to continue among us.

"It has pleased Divine Providence to deprive the empire of his services, while he was here in the neighbourhood of that sacred edifice where great men from all parts of the British dominions have been for ages interred. We are desirous of an opportunity of joining in the honour due to tried virtue and genius. Mr. Grattan belongs to us also, and great would be our consolation were we permitted to follow him to the grave, and to place him where he would not have been unwilling to lie—by the side of his illustrious fellow-labourers in the cause of freedom."

MR. WILBERFORCE.

CONTEMPORARY with Lord Grenville and Mr. Pitt, whose intimate friend he was, and whose partizan for a time, appeared a man, in some respects more illustrious than either—one who, among the greatest benefactors of the human race, holds an exalted station—one whose genius was elevated by his virtues, and exalted by his piety. It is, unfortunately, hardly necessary to name one whom the vices and the follies of the age have already particularized, by making it impossible that what has been said could apply to any but Wilberforce.

Few persons have ever either reached a higher and more enviable place in the esteem of their fellow-creatures, or have better deserved the place they had gained, than William Wilberforce. He was naturally a person of great quickness and even subtilty of mind, with a lively imagination, approaching to playfulness of fancy; and hence he had wit in an unmeasured abundance, and in all its varieties; for he was endowed with an exquisite sense of the ludicrous in character, the foundation of humour, as well as with the perception of remote resemblances, the essence of wit. These qualities, however, he had so far disciplined his faculties as to keep in habitual restraint, lest he should ever offend against strict decorum, by introducing light matter into serious discussion, or be betrayed into personal remarks too poignant for the feelings of individuals. For his nature was mild and amiable beyond that of most men; fearful of giving the least pain in any quarter, even while heated with the zeal of con-

troversy on questions that roused all his passions; and more anxious, if it were possible, to gain over rather than to overpower an adversary—to disarm him by kindness, or the force of reason, or awakening appeals to his feelings, rather than defeat him by hostile attack. His natural talents were cultivated, and his taste refined by all the resources of a complete Cambridge education, in which, while the classics were sedulously studied, the mathematics were not neglected; and he enjoyed in the society of his intimate friends, Mr. Pitt and Dean Milner, the additional benefit of foreign travel, having passed nearly a year in France, after the dissolution of Lord Shelburne's administration had removed Mr. Pitt from office. Having entered Parliament as member for Hull, where his family were the principal commercial men of the place, he soon afterwards, upon the ill-fated coalition destroying all confidence in the Whig party, succeeded Mr. Foljambe as member for Yorkshire, which he continued to represent as long as his health permitted him, having only retired to a less laborious seat in the year 1812. Although generally attached to the Pitt ministry, he pursued his course wholly unfettered by party connexion, steadily refused all office through his whole life, nor would lay himself under any obligations by accepting a share of patronage; and he differed with his illustrious friend upon the two most critical emergencies of his life, the question of peace with France in 1795, and the impeachment of Lord Melville ten years later.

His eloquence was of a very high order. It was persuasive and pathetic in an eminent degree; but it was occasionally bold and impassioned, animated with the inspiration which deep feeling alone can breathe into spoken thought, chastened by a pure taste, varied by extensive information, enriched by classical allusion, sometimes elevated by the more sublime topics of Holy Writ—the thoughts and the spirit

"That touch'd Isaiah's hallow'd lips with fire."

Few passages can be cited in the oratory of modern times of a more electrical effect than the singularly felicitous and striking allusion to Mr. Pitt's resisting the torrent of Jacobin principles:—"He stood between the living and the dead, and the plague was stayed." The singular kindness, the extreme gentleness of his disposition, wholly free from gall, from vanity, or any selfish feeling, kept him from indulging in any of the vituperative branches of rhetoric; but a memorable instance showed that it was anything rather than the want of power which held him off from the use of the weapons so often in almost all other men's hands. When a well-known popular member thought fit to designate him repeatedly, and very irregularly, as the "*Honourable and religious gentleman*," not because he was ashamed of the Cross he gloried in, but because he felt indignant at any one in the British senate deeming piety a matter of a reproach, he poured out a strain of sarcasm which none who heard it can ever forget. A common friend of the parties having remarked to Sir Samuel Romilly, beside whom he sat, that this greatly outmatched Pitt himself, the great master of sarcasm, the reply of that great man and just observer was worthy to be remarked,—"Yes," said he, "it is the most striking thing I almost ever heard; but I look upon it as a more singular proof of Wilberforce's virtue than of his genius, for who but he ever was possessed of such a formidable weapon, and never used it?"

Against all these accomplishments of a finished orator there was little to set on the other side. A feeble constitution, which made him say, all his life, that he never was either well or ill; a voice sweetly musical beyond that of most men, and of great compass also, but sometimes degenerating into a whine; a figure exceedingly undignified and ungraceful, though the features of the face were singularly expressive; and a want of condensation, in the latter years of his

life, especially, lapsing into digression and ill calculated for a very business-like audience like the House of Commons—these may be noted as the only drawbacks which kept him out of the very first place among the first speakers of his age, whom, in pathos, and also in graceful and easy and perfectly elegant diction, as well as harmonious periods, he unquestionably excelled. The influence which the Member for Yorkshire always commanded in the old Parliament—the great weight which the head, indeed the founder, of a powerful religious sect, possessed in the country—would have given extraordinary authority in the senate to one of far inferior personal endowments. But when these partly accidental circumstances were added to his powers, and when the whole were used and applied with the habits of industry which naturally belonged to one of his extreme temperance in every respect, it is difficult to imagine any one bringing a greater force to the aid of any cause which he might espouse.

Wherefore, when he stood forward as the leader of the Abolition, vowed implacable war against Slavery and the Slave Trade, and consecrated his life to the accomplishment of its destruction, there was every advantage conferred upon this great cause, and the rather that he held himself aloof from party connexion. A few personal friends, united with him by similarity of religious opinions, might be said to form a small party; and they generally acted in concert, especially in all matters relating to the Slave question. Of these, Henry Thornton was the most eminent in every respect. He was a man of strong understanding, great powers of reasoning and of investigation, an accurate and a curious observer, but who neither had cultivated oratory at all, nor had received a refined education, nor had extended his reading beyond the subjects connected with moral, political, and theological learning. The trade of a banker, which he followed, engrossed much of his time; and his exertions both in Parlia-

ment and through the press, were chiefly confined to the celebrated controversy upon the currency, in which his well-known work led the way, and to a bill for restricting the Slave Trade to part of the African coast, which he introduced when the Abolitionists were wearied out with their repeated failures, and had well-nigh abandoned all hopes of carrying the great measure itself. That measure was fated to undergo much vexatious delay, nor is there any great question of justice and policy, the history of which is less creditable to the British Parliament, or, indeed, to some of the statesmen of this country, although upon it the fame of others mainly rests.

When Mr. Wilberforce, following in Mr. Clarkson's track, had, with matchless powers of eloquence, sustained by a body of the clearest evidence, unveiled all the horrors of a traffic which, had it been attended with neither fraud nor cruelty of any kind, was, confessedly, from beginning to end, not a commerce but a crime, he was defeated by large majorities, year after year. When, at length, for the first time, in 1804, he carried the Abolition Bill through the Commons, the Lords immediately threw it out; and the next year it was again lost in the Commons. All this happened while the opinion of the country was, with the single exception of persons having West India connexions, unanimous in favour of the measure. At different times there was the strongest and most general expression of public feeling upon the subject, and it was a question upon which no two men, endowed with reason, could possibly differ, because, admitting whatever could be alleged about the profits of the traffic, it was not denied that the gain proceeded from pillage and murder. Add to all this, that the enormous evil continued to disgrace the country and its legislature for twenty years, although the voice of every statesman of any eminence, Mr. Windham alone excepted, was strenuously lifted against it,—although, upon this only

question, Pitt, Fox, and Burke heartily agreed,—although the finest of all Mr. Pitt's speeches were those which he pronounced against it,—and although every press and every pulpit in the island habitually cried it down. How are we, then, to account for the extreme tenacity of life which the hateful reptile showed?—how to explain the fact that all those powerful hands fell paralyzed and could not bring it to death? If little honour redounds to the Parliament from this passage in our history, and if it is thus plainly shown that the unreformed House of Commons but ill represented the country, it must also be confessed that Mr. Pitt's conduct gains as little glory from the retrospect. How could he, who never suffered any of his coadjutors, much less his underlings in office, to thwart his will even in trivial matters—he who would have cleared any of the departments of half their occupants, had they presumed to have an opinion of their own upon a single item of any budget, or an article in the year's estimates—how could he, after shaking the walls of the Senate with the thunders of his majestic eloquence, exerted with a zeal which set at defiance all suspicions of his entire sincerity, quietly suffer, that the object, just before declared the dearest to his heart, should be ravished from him when within his sight, nay, within his reach, by the votes of the secretaries and under-secretaries, the puisne lords and the other fry of mere placemen,—the pawns of his board? It is a question often anxiously put by the friends of the Abolition, never satisfactorily answered by those of the Minister; and if any additional comment were wanting on the darkest passage of his life, it is supplied by the ease with which he cut off the Slave traffic of the conquered colonies, an importation of thirty thousand yearly, which he had so long suffered to exist, though an order in Council could any day have extinguished it. This he never thought of till 1805, and then, of course, the instant he chose, he

destroyed it for ever with a stroke of his pen. Again, when the Whigs were in power, they found the total abolition of the traffic so easy, that the measure, in pursuing which Mr. Pitt had for so many long years allowed himself to be baffled, was carried by them with only sixteen dissentient voices in a house of 250 members. There can then, unhappily, be but one answer to the question regarding Mr. Pitt's conduct on this great measure. He was, no doubt, quite sincere, but he was not so zealous as to risk anything, to sacrifice anything, or even to give himself any extraordinary trouble for the accomplishment of his purpose. The Court was decidedly against abolition; Geo. III. always regarded the question with abhorrence, as savouring of innovation,—and innovation in a part of his empire connected with his earliest and most rooted prejudices,—the Colonies. The courtiers took, as is their wont, the colour of their sentiments from him. The Peers were of the same opinion. Mr. Pitt had not the enthusiasm for right and justice, to risk in their behalf losing the friendship of the mammon of unrighteousness; and he left to his rivals, when they became his successors, the glory of that triumph in the sacred cause of humanity, which should have illustrated his name, who in its defence had raised all the strains of his eloquence to their very highest pitch.

MR. CANNING.

WHEN Mr. Pitt, in 1784, stood against the united powers of the Coalition by the support of the court and the people, in debate he had only Mr. Dundas, and occasionally Mr. Wilberforce, to whom he could look for assistance while attacked by Fox, Burke, North, Sheridan, Erskine, Windham. But a younger race afterwards grew up and came to his assistance; and of these Mr. Canning was undoubtedly the first. He was in all respects one of the more remarkable persons who have lived in our times. Born with talents of a high order, these had been cultivated with an assiduity and success which placed him among the accomplished scholars of his day; and he was only inferior to others in the walks of science, from the accident of the studies which Oxford cherished in his time being pointed almost exclusively to classical pursuits. But he was anything rather than a mere scholar. In him were combined lively original fancy —a happily retentive and ready memory—singular powers of lucid statement—and occasionally wit in all its varieties, now biting and sarcastic to annoy, if not to overwhelm an antagonist—now pungent or giving point to an argument—now playful for mere amusement, and bringing relief to a tedious statement, or lending a charm to dry chains of close reasoning—Erant ea in Philippo quæ, qui sine comparatione illorum spectaret, satis magna dixerit; summa libertas in oratione, multæ facetiæ; satis creber in reprehendendis, solutus in explicandis sententiis; erat etiam imprimis, ut temporibus illis, Græcis doctrinis insti-

tutus, in altercando cum aliquo aculeo et maledicto facetus.—(CIC., *Brutus.*) Superficial observers, dazzled by this brilliancy, and by its sometimes being over-indulged, committed their accustomed mistake, and supposed that he who could thus adorn his subject was an amusing speaker only, while he was helping on the argument at every step,—often making skilful statements perform the office of reasoning, and oftener still seeming to be witty when he was merely exposing the weakness of hostile positions, and thus taking them by the artillery of his wit. But in truth his powers of ordinary reasoning were of a very high order, and could not be excelled by the practised master of dialectics. It was rather in the deep and full measure of impassioned declamation in its legitimate combination with rapid argument, the highest reach of oratory, that he failed; and this he rarely attempted. Of his powers of argumentation, his capacity for the discussions of abstract science, his genius for adorning the least attractive subjects, there remains an imperishable record in his celebrated speeches upon the "Currency," of all his efforts the most brilliant and the most happy.

This eminent person was for the most part not the slave of mean or paltry passions, except what flowed from his irritable and impatient temper; but a lofty ambition inspired him; and had he not too early become trained to official habits, he would have avoided the distinguishing and fatal error of his life, an impression which clung to him from the desk, that no one can usefully serve his country, or effectually further his principles, unless he possesses the power which place alone bestows. The traces of this belief are to be seen in many of the most remarkable passages of his life; and it even appears in the song with which he celebrated the praise of his illustrious leader and friend; for he treats as a fall Mr. Pitt's sacrificing power to principle, at a time when, by retiring from

office, he had earned the applause of millions. Mr. Canning himself gave an example equally signal of abandoning office rather than tarnish his fame; and no act of his life can be cited which sheds a greater lustre on his memory, than his retiring from the Government rather than bear a part in the proceedings against the Queen.

In private society he was amiable and attractive, though, except for a very few years of his early youth, he rarely frequented the circles of fashion, confining his intercourse to an extremely small number of warmly attached friends.* In all the relations of domestic life he was blameless, and was the delight of his family, as in them he placed his own.† His temper, though naturally irritable and uneasy, had nothing petty or spiteful in it; and as no one better knew how and when to resent, so none could more readily or more gracefully forgive.

It is supposed that, from his early acquaintance with Mr. Sheridan and one or two other Whigs, he originally had a leaning towards that side of the question. But he entered into public life at a very early age, under the auspices of Mr. Pitt, to whom he continued steadily attached till his death; accompanying him when he retired from power, and again quitting office upon his decease. His principles were throughout those of a liberal Tory, above the prejudices of the

* It is necessary to state this undoubted fact, that the folly of those may be rebuked who have chosen to represent him as "a great diner-out." It may be safely affirmed that none of those historians of the day ever once saw him at table.

† It is well known how much more attachment was conceived for his memory by his family and his devoted personal friends than by his most staunch political adherents. The friendships of statesmen are proverbially of rotten texture; but it is doubtful if ever this rottenness was displayed in a more disgusting manner than when the puny men of whose nostrils he had been the breath, joined his worst enemies as soon as they had laid him in the grave. It was said by one hardly ever related to him but in open hostility, that "the gallantry of his kindred had rescued his memory from the offices of his friends,"—in allusion to Lord Clanricarde's powerful and touching appeal on that disgraceful occasion.

bigots who have rendered Toryism ridiculous, and free from the corruption that has sometimes made it hateful. Imbued with a warm attachment to the ancient institutions of the country, somewhat apt to overrate the merits of mere antiquity, from his classical habits, and from early association, he nevertheless partook largely in the improved spirit of the age, and adopted all reforms, except such as he conscientiously believed were only dictated by a restless love of change, and could do no good, or such as went too far, and threatened revolution. But this was the posture into which his opinions and principles may be said ultimately to have subsided—these the bearings of his mind towards the great objects of political controversy in the station which it finally took when the tempest of French convulsion had ceased, and the barks of statesmen were moored in still water. He began his career in the most troublous period of the storm; and it happened to him as to all men, that the tone of his sentiments upon state affairs was very much influenced through after times by the events which first awakened his ambition, or directed his earliest pursuit of fame. The atrocities of the French Jacobins—the thoughtless violence of the extreme democratic party in this country, reduced by the horror of those atrocities to a small body—the spirit of aggression which the conduct of her neighbours had first roused in France, and which unexampled victories soon raised to a pitch that endangered all national independence—led Mr. Canning, with many others who naturally were friendly to liberty, into a course of hostility towards all change, because they became accustomed to confound reforms with revolution, and to dread nothing so much as the mischiefs which popular violence had produced in France, and with which the march of French conquest threatened to desolate Europe. Thus it came to pass that the most vigorous and the most active portion of his life was passed in opposing all reforms; in patron-

izing the measures of coercion into which Mr. Pitt had, so unhappily for his fame and for his country, been seduced by the alarms of weak, and by the selfish schemes of unprincipled men; and in resisting the attempts which the friends of peace persevered to make for terminating hostilities, so long the curse, and still by their fruits the bane of this empire,—attempts that Mr. Pitt himself appears to have resisted much less strenuously than his followers, and even on two occasions to have zealously seconded.

It was not till the end of the war that his natural good sense had its free scope, and he became aware of the difference between Reforms, of which he admitted the necessity, and Revolution, against all risk of which he anxiously guarded. He had early joined Mr. Pitt on the Catholic question, and, while yet the war raged, he had rendered incalculable service to the cause of Emancipation, by devoting to it some of his most brilliant efforts in the House of Commons. This, and the accident of a contested election in a great town bringing him more in contact with popular feelings and opinions, contributed to the liberal course of policy which he afterwards pursued on almost all subjects. Upon one only question he continued firm and unbending; he was the most uncompromising adversary of all Parliamentary Reform,—resisting even the least change in the representative system, and holding that alteration once begun was fatal to its integrity.* This opposition to reform became the main characteristic of the Canning party, and it regulated their conduct on almost all questions. Before 1831, no exception can be perceived in their hostility to reform, unless their differing with the Duke of

* During the short period of his brilliant administration, the question of disfranchising a burgh, convicted of gross corruption, gave rise to the only difference between him and Mr. Brougham, who was understood to have mainly contributed towards that junction of the Whigs and liberal Tories which dissolved and scattered the old and high Tory party; and a division took place in which Mr. Canning was defeated.

Wellington on East Retford can be regarded as such; but, in truth, their avowed reason for supporting that most insignificant measure was, that the danger of a real and effectual reform might thereby be warded off. The friends of Mr. Canning, who, in 1818, had been joined by Lord Melbourne,* continued steady to the same principles, until happily, on the formation of Lord Grey's government, they entirely changed their course, and became the advocates, with their reforming colleagues, of a change, compared to which the greatest reforms ever contemplated by Mr. Pitt and Mr. Fox, or denounced by Mr. Burke and Mr. Canning, hardly deserve to be classed among measures of innovation. No one can pronounce with perfect confidence on the conduct which any statesman would have pursued, had he survived the times in which he flourished. But if such an opinion may ever with safety be formed, it seems to be in the present case; and it would require far more boldness to surmise that Mr. Canning, or even Mr. Huskisson, would have continued in the government after the 1st of March, 1831, than to affirm that nothing could ever have induced such an alteration in their most fixed opinions upon so momentous a question.

But while such was the strength of his opinions,—prejudices as they seem,—on one great subject, on almost all other matters, whether of foreign or domestic policy, his views were liberal, and suited to the spirit of the age, while he was a firm supporter of the established constitution of the country. If ever man was made for the service and the salvation of a party, Mr. Canning seemed to have been raised up for that of the Tories: if ever party committed a fatal error, it was their suffering groundless distrust and unintelli-

* Lord Melbourne differed with the rest of the Canning party on this point. He always opposed Reform, but held that if any was to be granted, it must be in an ample measure; and he did not vote with them, but with the government, on the Retford question, although he resigned with them upon that occasion.

gible dislikes to estrange him from their side. At a time when nothing but his powerful arm could recall unity to their camp, and save them from impending destruction, they not merely wilfully kindled the wrath of Achilles, but resolved that he should no longer fight on their side, and determined to throw away their last chance of winning the battle. To him they by general assent preferred Lord Castlereagh as their leader, without a single shining quality except the carriage and the manners of high birth: while Mr. Canning, but for his accidental death, would have ended his life as governor of a country where men neither debate, nor write; where eloquence evaporates in scores of paragraphs, and the sparkling of wit and the cadence of rhyme are alike unknown.

The defects of Mr. Canning's character or of his genius, though not trifling, were not many, nor those difficult to discover. His irritable temper has been noted: he had a love of trifling and a fondness for indulging in pleasantry, more injurious to his estimation with ordinary men than even his infirm temper. Nothing could be more natural than that one who so much excelled others in these lighter, more brilliant, but hardly attainable qualities, should be prone to exercise them overmuch; but they greatly marred the effect of his more solid and important talents. Above all, they enlarged the circle of his enemies, and occasionally transferred to it the friends whom they lost him. With the common run of ordinary mortals, who compose the mass of every country—with the plainer sort of men who form the bulk of every audience, and who especially bear sway in their own appointed place, the assembly that represents the English people,—it would have been contrary to nature if one so lively, so fond of his joke, so careless whom his merriment might offend, so ready to turn the general laugh against any victim,—had been popular, nay, had failed to prove the object of

suspicion, and even dislike. The duller portion over whose heads his lighter missiles flew, were offended with one who spoke so lightly; it was almost personal to them if he jested, and a classical allusion was next thing to an affront. "He will be laughing at the quorum or talking metaphysics next," said the squire, representing a county. But even they who emulated him and favoured his claims, did not much like the man who had made them so merry, for they felt what it was that they laughed at, and it might be their own turn to-morrow.

That his oratory suffered very materially from this self-indulgent habit, so hard to resist by him who possesses the faculty of amusing his audience, and can scarcely pause at the moment that he is exerting it successfully, it would be incorrect to affirm. The graver parts of his discourse were perfectly sustained; they were unmixed with ribaldry; they were quite as powerful in themselves as if they had not stood out from the inferior matter and had not soared above it. There is no doubt, however, that with an unreflecting audience, their effect was somewhat confused by the cross lights which the wit, occasionally bordering upon drollery, shot over the canvas. But his declamation, though often powerful, always beautifully ornate, never deficient in admirable diction, was certainly not of the highest class. It wanted depth: it came from the mouth, not from the heart; and it tickled or even filled the ear rather than penetrated the bosom of the listener. The orator never seemed to forget himself and be absorbed in his theme; he was not carried away by his passions, and he carried not his audience along with him. An actor stood before us, a first-rate one no doubt, but still an actor; and we never forgot that it was a representation we were witnessing, not a real scene. The Grecian artist was of the second class only, at whose fruit the *birds* pecked: while, on seeing Parrhasius' picture, *men* cried out to have the curtain

drawn aside. Mr. Canning's declamation entertained his hearers, so artistly was it executed; but only an inexperienced critic could mistake it for the highest reach of the rhetorical art. The truly great orator is he who carries away his hearer, or fixes his whole attention on the subject—with the subject fills his whole soul—than the subject, will suffer him to think of no other thing—of the subject's existence alone will let him be conscious, while the vehement inspiration lasts on his own mind which he communicates to his hearer—and will only suffer him to reflect on the admirable execution of what he has heard after the burst is over, the whirlwind has passed away, and the excited feelings have in the succeeding lull sunk into repose.

The vice of this statesman's public principles was much more pernicious in its influence upon his public conduct than the defects which we have just remarked were upon his oratory. Bred up in office from his early years, he had become so much accustomed to its pleasures that he felt uneasy when they were taken from him. It was in him not a sordid propensity that produced this frame of mind. For emolument, he felt the most entire indifference; upon the management of petty intrigue which is called jobbing, he looked down with sovereign contempt. But his extraordinarily active mind, impatient of rest, was only to be allayed by occupation, and office afforded this at all hours, and in boundless measure. His kind and friendly nature, attaching him strongly to his associates, as it strongly fixed their affections upon him, made him feel uneasy at their exclusion from power, and desirous to possess the means of gratifying them. Above all, though a great debater, and breathing the air of Parliament as the natural element of his being, he yet was a man of action too, and would sway the counsels as well as shake the senates of his country. He loved debate for its exercise of his brilliant faculties; he

loved power for its own sake, caring less for display than for gratification. Hence, when he retired from office upon the dispute with Lord Castlereagh, (a passage of his life much and unjustly blamed at the time, but which, had it been ever so exactly as most men then viewed it, has in later times been cast into the thickest shades of oblivion by acts far more abominable and disgraceful,) and when he found that, instead of a speedy return to power, he was condemned to years of exclusion, his impatience led him to the imprudent step of serving under his successful rival on a foreign mission of an unimportant cast. The uneasiness which he manifestly suffered in retirement, even made him consent to the scheme of more permanent expatriation,* which only the unhappy death of Lord Castlereagh prevented from taking effect. But these were rather matters affecting the person than perverting the principles, or misguiding the conduct of the party. The unfortunate love of power, carried too far, and felt so as to make the gratification of it essential to existence, is ruinous to the character of a statesman. It leads often to abandonment of principle, constantly to unworthy compromise; it subjects him to frequent dependence; it lowers the tone of his mind, and teaches his spirit to feed on the bitter bread of others' bounty; above all, it occasionally severs him from his natural friends, and brings him acquainted with strange and low associates, whose natures, as their habits, are fit objects of his scorn, and who have with him but one thing in common, that they seek the same object with himself—they for love of gain, he for lust of dominion.

"Tu lascerai ogni cosa diletta
Piu caramente, e questo e quello strale
Che l' arco d' esilio pria saetta;
Tu proverai come si sa di sale
Lo pane d' altrui, e come e duro calle

* As Governor-General of India.

Lo scendere e il salir altrui scale,
E che il più ti gravera le spalle
Sara la compagnia malvagia e scempia
Che tu vedrai in questa valle!" †

To quit the objects loved most tenderly;
This is the shaft that Exile first lets fly.
Then shalt thou prove how bitter tastes the bread
Of others' bounty; and how hard to tread
Another's stair; and, from thy kindred torn,
Herd with the vilely bred, and basely born.

Men are apt to devise ingenious excuses for those failings which they cherish most fondly, and if they cannot close their eyes to them, had rather defend than correct. Mr. Canning reasoned himself into a belief which he was wont to profess, that no man can serve his country with effect out of office: as if there were no public in this country; as if there were no Parliament; no forum; no press; as if the Government were in the hands of a Vizier to whom the Turk had given his signet-ring, or a favourite to whom the Czarina had tossed her handkerchief; as if the patriot's vocation had ceased and the voice of public virtue were heard no more; as if the people were without power over their rulers, and only existed to be taxed and to obey! A more pernicious notion never entered the mind of a public man, nor one more fitted to undermine his public virtue. It may be made the cloak for every species of flagitious and sordid calculation; and what in him was only a sophistical self-deception, or a mere illusion of dangerous self-love, might have been, by the common herd of trading politicians, used as the cover for every low, and despicable, and unprincipled artifice. No errors are so dangerous as those false theories of morals which conceal the bounds between right and wrong; enable Vice to trick herself out in the attire of Virtue; and hide our frailties from ourselves by throwing around them the garb of profound wisdom.

† Dante, Par. xvii.

The havoc which this unceasing desire of place made in Mr. Canning had always been observed by those who saw his public conduct. But when his adversaries railed against him as a perpetual and restless intriguer, the charge coming in the company of others known to be false against Mr. Pitt, was very naturally set down among the list of mere party inventions. The late publication of Lord Malmesbury's papers, however, must be admitted to give no small support to this view of Mr. Canning's character. Certainly, the account of his intrigues against Mr. Addington must lower him in the estimation of all men; and it rests upon evidence wholly above suspicion, Lord Malmesbury seeing in him nothing but what is good, and being his warm supporter; but indeed the proof is found under Mr. Canning's own hand. It would not be easy to find anything of a more paltry kind in all the history of political intrigue, than the attempt to drive Mr. Addington from office by a manifesto against him, only unsigned because Mr. Canning could get no one but a friend of his own to sign it; and designed, he says himself, to be presented with a "prescript" (as he terms it), stating that "*the names were ready to be affixed*,"—there being only two such names thus ready. Nothing can be more striking than the contrast which Mr. Pitt's conduct at this period offered to Mr. Canning's: it is dignified, frank, forbearing; kindly towards all, even those he had some right to complain of; not unkindly to Mr. Canning himself, though manifestly he disapproved of his proceedings, and was exceedingly impatient under his ceaseless importunity. Indeed he was compelled to give him more than one repulse; and he even appears to have declined seeing him at Walmer, that he might be spared his vexatious activity. Of course, no one concerned in the pitiful affair of the unsigned manifesto could venture upon disclosing it to such a man as Mr. Pitt.

It is truly to be lamented that Mr. Pitt should not have kept himself as much aloof from the warlike and anti-Gallican zeal of Mr. Canning, as he thus did from his thirst for office. The refusal to treat with Napoleon in 1800 must have proceeded from that influence against which he was not yet on his guard; for it was wholly at variance with all his former conduct.*

Of Mr. Canning it may be justly observed, as of Mr. Fox, that whatever errors he committed on other questions, on the Abolition of the Slave Trade he was undeviatingly true to sound principles and enlightened policy. Respecting the questions connected with Emancipation his course was by no means so commendable; and in resisting the motion on the Missionary's case, 1824, he acted culpably as well as feebly indeed; but of the Abolitionists he was at once a strenuous and effective ally. It is understood that he deeply lamented the contrast which Mr. Pitt's proceedings on this great question presented to his speeches; and he insisted on bringing forward a motion against the policy of capturing colonies to extend the Slave-traffic, when Mr. Pitt was in retirement.

* The portion of the Malmesbury Correspondence chiefly referred to is vol. iv. p. 103, 104; p. 119, 120, and p. 152. Lord Malmesbury carried the low intrigue about the paper a step farther; at least he described it more fully as intended, by concealing the poverty of the names subscribed, to operate as a threat and a deceptious threat. Mr. Pitt's uneasiness under Mr. Canning's restless impatience for office appears in a striking manner. He plainly alludes to him and his operations when he complains of the "zeal and the schemes of selfish people," and describes how he is "disgusted and soured" as well as "beset by them."

SIR SAMUEL ROMILLY.

How different from Mr. Pitt's conduct was that of Lord Grenville, who no sooner acceded to office in 1806, than he encouraged all the measures which first restrained, and then entirely abolished that infernal traffic! The crown lawyers of his administration were directed to bring in a bill for abolishing the foreign slave-trade of our colonies, as well as all importation into the conquered settlements—and when it is recollected that Sir Samuel Romilly at that time added lustre and gave elevation to the office of solicitor-general, it may well be supposed that those duties were duly and cheerfully followed both by him and by his honest, learned, and experienced colleague, Sir Arthur Pigott. It is fit that no occasion on which Sir Samuel Romilly is named should ever be passed over without an attempt to record the virtues and endowments of so great and so good a man, for the instruction of after ages.

Few persons have ever attained celebrity of name and exalted station, in any country, or in any age, with such unsullied purity of character, as this equally eminent and excellent person. His virtue was stern and inflexible, adjusted, indeed, rather to the rigorous standard of ancient morality than to the less ambitious and less elevated maxims of the modern code. But in this he very widely differed from the antique model upon which his character generally appeared to be framed, and also very far surpassed it, that there was nothing either affected or repulsive about him; and if ever a man existed who would more than any other

have scorned the pitiful fopperies which disfigured the worth of Cato, or have shrunk from the harsher virtue of Brutus, Romilly was that man. He was, in truth, a person of the most natural and simple manners, and one in whom the kindliest charities and warmest feelings of human nature were blended in the largest measure with that firmness of purpose and unrelaxed sincerity of principle, in almost all other men found to be little compatible with the attributes of a gentle nature and the feelings of a tender heart.

The observer who gazes upon his character is naturally struck first of all with its most prominent feature, and that is the rare excellence which we have now marked, so far above every gift of the understanding, and which throws the lustre of mere genius into the shade. But his capacity was of the highest order. An extraordinary reach of thought; great powers of attention and of close reasoning; a memory quick and retentive; a fancy eminently brilliant, but kept in perfect discipline by his judgment and his taste, which was nice, cultivated, and severe, without any of the squeamishness so fatal to vigour; these were the qualities which, under the guidance of the most persevering industry, and with the stimulus of a lofty ambition, rendered him unquestionably the first advocate, and the most profound lawyer, of the age he flourished in; placed him high among the ornaments of the Senate; and would, in all likelihood, have given him the foremost place among them all, had not the occupations of his laborious profession necessarily engrossed a disproportionate share of his attention, and made political pursuits fill a subordinate place in the scheme of his life. *Jurisperitorum disertissimus, disertorum vero jurisperitissimus.* As his practice, so his authority at the bar and with the bench was unexampled; and his success in Parliament was great and progressive. Some of his speeches, both forensic and Parliamentary, are nearly unrivalled in excellence. The reply, even as reported in 11 *Vesey*,

junior, in the cause of *Hugonin* v. *Beasley*,* where legal matters chiefly were in question, may give no mean idea of his extraordinary powers. The last speech that he pronounced in the House of Commons, upon a bill respecting the law of naturalization, which gave him occasion to paint the misconduct of the expiring Parliament in severe and even dark colours, was generally regarded as unexampled among the efforts of his eloquence; nor can they who recollect its effects ever cease to lament with tenfold bitterness of sorrow, the catastrophe which terminated his life and extinguished his glory, when they reflect that the vast accession to his influence from being chosen for Westminster, came at a time when his genius had reached its amplest display, and his authority in Parliament, unaided by station, had attained the highest eminence. The friend of public virtue, and the advocate of human improvement, will mourn still more sorrowfully over his urn than the admirers of genius, or those who are dazzled by political triumphs. For no one could know Romilly, and doubt that, as he only valued his own success and his own powers, in the belief that they might conduce to the good of mankind, so each augmentation of his authority, each step of his progress, must have been attended with some triumph in the cause of humanity and justice. True, he would at length, in the course of nature, have ceased to live; but then the bigot would have ceased to persecute—the despot to vex—the desolate poor to suffer—the slave to groan and tremble—the ignorant to commit crimes—and the ill-contrived law to engender criminality.

On these things all men are agreed; but if a more distinct account be desired of his eloquence, it must be said that it united all the more severe graces of

* A case very near resembling this, *Macabe* v. *Hussey*, was argued in the House of Lords in October, 1831, by Mr. O'Connell, and his argument was a masterpiece, according to the judgment of those who heard it.

oratory, both as regards the manner and the substance No man argued more closely when the understanding was to be addressed; no man declaimed more powerfully when indignation was to be aroused or the feelings moved. His language was choice and pure; his powers of invective resembled rather the grave authority with which the judge puts down a contempt, or punishes an offender, than the attack of an advocate against his adversary and his equal. His imagination was the minister whose services were rarely required, and whose mastery was never for an instant admitted. His sarcasm was tremendous, nor always very sparingly employed. His manner was perfect, in voice, in figure, in a countenance of singular beauty and dignity; nor was anything in his oratory more striking or more effective than the heartfelt sincerity which it throughout displayed, in topic, in diction, in tone, in look, in gesture. "In Scauri oratione sapientis hominis et recti, gravitas summa, et naturalis quædam inerat auctoritas, non ut causam, sed ut testimonium dicere putares. Significabat enim non prudentiam solum, sed, quod maxime rem continebat, fidem."*

Considering his exalted station at the bar, his pure and unsullied character, and the large space which he filled in the eye of the country, men naturally looked for his ascent to the highest station in the profession of which he was, during so many years, the ornament and the pride. Nor could any one question that he would have presented to the world the figure of a consummate judge. He alone felt any doubt upon the extent of his own judicial qualities; and he has recorded in his journal (that invaluable document in which he was wont to set down freely his sentiments on men and things) a modest opinion, expressing his apprehension, should he ever be so tried, that men would say of him "*Capax imperii nisi imperasset.*"

* Cic., *Brutus.*

With this single exception, offering so rare an instance of impartial self-judgment, and tending of itself to its own refutation, all who had no interest in the elevation of others, have held his exclusion from the supreme place in the law, as one of the heaviest items in the price paid for the factious structure of our practical government.

In his private life and personal habits he exhibited a model for imitation, and an object of unqualified esteem. All his severity was reserved for the forum and the senate, when vice was to be lashed, or justice vindicated, the public delinquent exposed, or the national oppressor overawed. In his family and in society, where it was his delight, and the only reward of his unremitting labours, to unbend, he was amiable, simple, natural, cheerful. The vast resources of his memory,—the astonishing economy of time, by which he was enabled to read almost every work of interest that came from the press of either his hereditary or his native country, either France or England,—the perfect correctness of his taste, refined to such a pitch that his pencil was one of no ordinary power, and his verses, when once or twice only he wrote poetry, were of great merit,—his freedom from affectation,—the wisdom of not being above doing ordinary things in the ordinary way,—all conspired to render his society peculiarly attractive, and would have made it courted even had his eminence in higher matters been far less conspicuous. While it was the saying of one political adversary, the most experienced and correct observer* among all the parliamentary men of his time, that he never was out of his place while Romilly spoke, without finding that he had cause to lament his absence,—it was the confession of all who were admitted to his private society, that they forgot the lawyer, the orator, and the patriot, and had never been aware, while

* Mr. Charles Long, afterwards Lord Farnborough.

gazing on him with admiration, how much more he really deserved that tribute than he appeared to do when seen from afar.

If defects are required to be thrown into such a sketch, and are deemed as necessary as the shades in a picture, or, at least, as the more subdued tones of some parts for giving relief to others, this portraiture of Romilly must be content to remain imperfect. For what is there on which to dwell for blame, if it be not a proneness to prejudice in favour of opinions resembling his own, a blindness to the defects of those who held them, and a prepossession against those who held them not? While there is so very little to censure, there is unhappily much to deplore. A morbid sensibility embittered many hours of his earlier life, and when deprived of the wife whom he most tenderly and justly loved, contributed to bring on an inflammatory fever, in the paroxysm of which he untimely met his end.

The Letter of Mr. Brougham, on Abuse of Charities, was communicated in manuscript to him while attending the sick bed of that excellent person, whose loss brought on his own. It tended to beguile some of those sorrowful hours, the subject having long deeply engaged his attention; and it was the last thing that he read. His estimate of its merits was exceedingly low; at least he said he was sure no tract had ever been published on a more dry subject, or was likely to excite less attention. The interest of the subject, however, was much undervalued by him; for the letter ran through eight editions in the month of October.*

That he highly approved of the labours of the Education Committee, however, and that the conduct of its Chairman shared fully in his approval, there can be

* The last book of any importance read by him was Mr. Hallam's first great work, of which he justly formed the highest opinion, and recommended the immediate perusal of it to the author of the letter, as a contrast to that performance, in respect of the universal interest of the subject.

no doubt. In the last will which he made, there is a warm expression of personal regard and a strong testimony to public merits, accompanying a desire that his friend would join with another whom he had long known intimately, and whom he consequently most highly and most justly esteemed, Mr. Whishaw, in performing the office of literary executor. The manuscripts which he left were numerous and important. The most interesting are the beautiful Sketches of his early life, and the Journal to which reference has already been made. But his commentaries upon subjects connected with jurisprudence are those of the greatest value; for they show that most of the reforms of which he maintains the expediency, have since his decease been adopted by the Legislature; and they thus form a powerful reason for adopting those others which he recommends, and which are not now less favoured by the general opinion of mankind than were the former class at the early period when he wrote. The injunction to his friends contained in his will, was truly characteristic of the man. He particularly desired them, in determining whether or not the manuscripts should be published, only to regard the prospect there was of their being in any degree serviceable to mankind, and by no means to throw away a thought upon any injury which the appearance of such unfinished works might do to his literary character. Whoever knew him, indeed, was well persuaded that in all his exertions his personal gratification never was for a moment consulted, unless as far as whatever he did, or whatever he witnessed in others, had a relish for him exactly proportioned to its tendency towards the establishment of the principles which formed as it were a part of his nature, and towards the promotion of human happiness, the grand aim of all his views.

This is that colleague and comrade whose irreparable loss his surviving friends have had to deplore, through all their struggles for the good cause in which they

had stood by his side; a loss which each succeeding day renders heavier and harder to bear, when the misconduct of some, and the incapacity of others, so painfully recall the contrast of one whose premature end gave the first and the only pang that had ever come from him; and all his associates may justly exclaim in the words of Tully regarding Hortensius, "Augebat etiam molestiam, quod magnâ sapientium civium bonorumque penuriâ, vir egregius, conjunctissimusque mecum consiliorum omnium societate, alienissimo reipublicæ tempore extinctus, et auctoritatis, et prudentiæ suæ triste nobis desiderium relinquerat: dolebamque, quod non, ut plerique putabant, adversarium, aut obtrectatorem laudum mearum, sed socium potius et consortem gloriosi laboris amiseram."

And here for a moment let us pause. We have been gazing on the faint likenesses of many great men. We have been traversing a Gallery, on either side of which they stand ranged. We have made bold in that edifice to "expatiate and confer the State affairs" of their age. Cognizant of its history, aware of the principles by which the English chiefs are marshalled, sagacious of the springs that move the politic wheel whose revolutions we contemplate, it is an easy thing for us to comprehend the phenomenon most remarkably presented by those figures and their arrangement; nor are we led to stare aghast at that which would astound any mind not previously furnished with the ready solution to make all plain and intelligible. But suppose some one from another hemisphere, or another world, admitted to the spectacle which we find so familiar, and consider what would be its first effect upon his mind.—"Here," he would say, "stand the choicest spirits of their age; the greatest wits, the noblest orators, the wisest politicians, the most illustrious patriots. Here they stand, whose magical

eloquence has shook the spheres, whose genius has poured out strains worthy the inspiration of the gods, whose lives were devoted to the purity of their principles, whose memories were bequeathed to a race grateful for benefits received from their sufferings and their sacrifices. Here stand all these "lights of the world and demigods of fame;" but here they stand not ranged on one side of this Gallery. Having served a common country, with the same bright object in their view, their efforts were divided, not united; they fiercely combated each other, and not together assailed some common foe; their great exertions were bestowed, their more than mortal forces were expended, not in furthering the general good, not in resisting their country's enemies, but in conflicts among themselves; and all their triumphs were won over each other, and all their sufferings were endured at each other's hands!"—"Is it," the unenlightened stranger would add, "a reality that I survey, or a troubled vision that mocks my sight? Am I indeed contemplating the prime of men amongst a rational people, or the Coryphei of a band of mimes? Or, haply, am I admitted to survey the cells of some hospital appointed for the insane; or is it, peradventure, the vaults of some pandemonium through which my eyes have been suffered to wander till my vision aches, and my brain is disturbed?"

Thus far the untutored native of some far-distant wild on earth, or the yet more ignorant inhabitant of some world, remote "beyond the solar walk or Milky Way." We know more; we apprehend things better. But let us, even in our pride of enlightened wisdom, pause for a moment to reflect on this most anomalous state of things,—this arrangement of political affairs which systematically excludes at least one-half of the great men of each age from their country's service, and devotes both classes infinitely more to maintaining a conflict with one another than to furthering the

general good. And here it may be admitted at once that nothing can be less correct than their view, who regard the administration of affairs as practically in the hands of only one-half the nation, whilst the excluded portion is solely occupied in thwarting their proceedings. The influence of both Parties is exerted, and the movement of the state machine partakes of both the forces impressed upon it; neither taking the direction of the one nor of the other, but a third line between both. This concession, no doubt, greatly lessens the evil; but it is very far indeed from removing it. Why must there always be this exclusion, and this conflict? Does not every one immediately perceive how it must prove detrimental to the public service in the great majority of instances; and how miserable a make-shift for something better and more rational it is, even where it does more good than harm? Besides, if it requires a constant and systematic opposition to prevent mischief, and keep the machine of state in the right path, of what use is our boasted representative government, which is designed to give the people a control over their rulers, and serves no other purpose at all? Let us for a moment consider the origin of this system of Party, that we may the better be able to appreciate its value and to comprehend its manner of working.

The Origin of Party may be traced by fond theorists and sanguine votaries of the system, to a radical difference of opinions and principle; to the "*idem sentire de republicâ*" which has at all times marshalled men in combinations or split them in oppositions; but it is pretty plain to any person of ordinary understanding, that a far less romantic ground of union and of separation has for the most part existed—the individual interests of the parties; the *idem velle atque idem nolle;* the desire of power and of plunder, which, as all cannot share, each is desirous of snatching and holding. The history of English party is as certainly

that of a few great men and powerful families on the one hand, contending for place and power, with a few others on the opposite quarter, as it is the history of the Plantagenets, the Tudors, and the Stuarts. There is nothing more untrue than to represent principle as at the bottom of it; interest is at the bottom, and the opposition of principle is subservient to the opposition of interest. Accordingly, the result has been, that unless perhaps where a dynasty was changed, as in 1688, and for some time afterwards, and excepting on questions connected with this change, the very same conduct was held and the same principles professed by both Parties when in office and by both when in opposition. Of this we have seen sufficiently remarkable instances in the course of the foregoing pages. The Whig in opposition was for retrenchment and for peace; transplant him into office, he cared little for either. Bills of coercion, suspensions of the constitution, were his abhorrence when propounded by Tories; in place, he propounded them himself. Acts of indemnity and of attainder were the favourites of the Tory in power; the Tory in opposition was the enemy of both. The gravest charge ever brought by the Whig against his adversary was the personal proscription of an exalted individual to please a King; the worst charge that the Tory can level against the Whig is the support of a proscription still less justifiable to please a Viceroy.

It cannot surely in these circumstances be deemed extraordinary that plain men, uninitiated in the Aristocratic Mysteries whereof a rigid devotion to Party forms one of the most sacred, should be apt to see a very different connexion between principle and faction from the one usually put forward; and that without at all denying a relation between the two things, they should reverse the account generally given by Party men, and suspect them of taking up principles in order to marshal themselves in alliances and hostilities for

their own interests, instead of engaging in those contests because of their conflicting principles. In a word, there seems some reason to suppose that interest having really divided them into bands, principles are professed for the purpose of better compassing their objects by maintaining a character and gaining the support of the people.

That to a certain degree this is true, we think can hardly be doubted, although it is also impossible to deny that there is a plain line of distinction between the two great Parties which formerly prevailed in this country upon one important point, the foundations and extent of the Royal Prerogative. But that this line can now be traced it would be absurd to pretend. Mr. Pitt, and even Lord North, had no other opinions respecting kingly power than Mr. Fox or Mr. Burke; and the rival theories of Sir Robert Filmer and Mr. Locke were as obsolete during the American war as they are at this day. Then have not men, since Jacobitism and Divine Right were exploded, generally adopted opinions upon the practical questions of the day in such a manner as to let them conveniently co-operate with certain acts of statesmen and oppose others; join some family interests together in order to counterbalance some other family interests; league themselves in bodies to keep or to get power in opposition to other bands formed with a similar view? This surely will not, upon a calm review of the facts, be denied by any one whose judgment is worth having.

Observe how plainly the course pursued by one class dictates that to be taken by the other. There must be combinations, and there must be oppositions; and therefore things to differ upon, as well as things to agree upon, must needs be found. Thus, the King is as hostile as bigotry and prerogative can make him to American liberty, and his ministers support him in the war to crush it. This throws the opposition upon

the liberal side of the question, without which they can neither keep together nor continue to resist the ministry. Is any man so blind as seriously to believe that, had Mr. Burke and Mr. Fox been the Ministers of George III. they would have resigned rather than try to put down the Americans? If so, let him open his eyes, and ask himself another simple question, What Minister would ever volunteer his advice to dismember the empire? But if that fails to convince him, let him recollect that the American war had raged for years before the word "Separation" crossed the lips of any man in either House of Parliament—all the attacks were made upon the ill-treatment of our fellow-subjects, and the mismanagement of the war; the Whigs would have been more kind rulers and better generals, but only in order to prevent the last of calamities—Separation and Independence. Nay, the same Party being now in power, have avowed towards Canada the very principles upon which Lord North carried on the former contest. The Tories may perhaps allege that they have of late been more consistent.

Take another instance. While the Whigs were out of office, the same King's bigotry refused to emancipate the Roman Catholics. It would be a strong thing to hold, that the Party which was always distinguished for its hatred of Romanism, and which had founded its power of old on the penal laws, must of necessity have taken an opposite view of this question because circumstances had changed and those laws had become unnecessary, and because the King, supposing them to have been his servants, would have adhered to the ancient Whig tenets. But when, in opposition themselves, they found some millions ready to rally against the Court, and saw their adversaries, the Ministers of the day, siding with the King, they never hesitated a moment in taking their line, and fought gallantly till the battle was won. Without affirming that the

altered view of the question was wholly caused by the position of Parties, and dictated by the Ministers taking the other line, we may at least assert, without any fear of contradiction, that the promptitude with which the change was made by the leaders is traceable to this source; and that their having the power to make their less liberal and enlightened followers in the country join them, doing violence to their most rooted prejudices, can in no other way be accounted for than by referring to the operation of Party tactics. Indeed, this operation alone can explain the phenomenon of the two great factions having changed sides on the whole question; the Tories taking the very part now which the Whigs did in the days of the Somers, the Marlboroughs, the Godolphins, and somewhat earlier, in the times of the Russells and the Sidneys. The solution of the enigma is to be found chiefly in the accidental circumstance of the Parties having at the two different periods been in opposite positions—the Whigs in power at one time, the Tories at the other, and the Crown holding the same course in each case. The only other circumstance that exists to modify this conclusion, is, that the principles of the Whig families at the Revolution led to their being in power; although it would be a bold thing to assert that, if the Tory families had been preferred, through some accident of personal favour, by William and Anne, the Whig families then in opposition would have supported the penal code; or even that, if George I. had turned his back upon them, and courted their adversaries, they would have kept quite clear of Jacobite connexions, which some of the most distinguished, as it was, are well known to have formed.

Nor is there much reason to suppose that had the Parties changed positions in 1792, the Whigs would, as a matter of course, have been against the war. Half the Party were found to be the most strenuous advocates of a rupture with France, and their accession

to office as a body followed this avowal. The whole could not pursue the same course; and Mr. Pitt having unhappily declared for war, the opposition was for peace. If any one feels very confident that the great men whom we have been contemplating in their glorious resistance to that ruinous contest, would have maintained peace at all hazards, including a quarrel with the Aristocracy and the Court, had they been George III.'s Ministers, we beseech him to consider how little disposed they showed themselves, after Mr. Pitt's death, to make sacrifices for the great object of pacification, and how forward they were in gratifying the King's prejudices on Hanover, which their new leader declared was as much a British interest as Hampshire. One thing is certain enough,—had the Whigs joined the King and the aristocracy in making war, Mr. Pitt would have been as strenuous an apostle of peace as ever preached that holy word.

If the new line of distinction which now severs the two sets of men be observed, little doubt will be cast upon our former conclusions. The one is for reform, the other against it. But the old Whig Party were always very lukewarm reformers: one section of them were its most bitter enemies—the rest, with few exceptions, its very temperate supporters. Even Mr. Fox's reform of Parliament would have gone into a mighty narrow compass. But there rests no kind of doubt on this as well as other principles having been rather the consequence than the cause of Party distinctions; for when Mr. Pitt in opposition, and afterwards in office, brought forward the question, he received a very moderate and divided support from the Whigs; and no small part of the Government which carried the question in 1831, and of the present Reform Government, are Tories who had before been strenuously opposed to all changes whatever in our parliamentary system. That the same Ministry of 1831 was substantially Whig, and carried the question

by a far greater effort than ever Mr. Pitt made for its advancement, is not to be doubted. But their influence, nay their existence depended upon it: they gained more by it, as a Party, than by any other course they could have gained. This then can form no exception whatever to the position that, when parties are formed mainly for the purpose of obtaining and retaining power, they adopt principles, and act upon them, with a view to serve this main object of the Party union. The people in a country like this have their weight as well as the Court and aristocracy, and their opinions and feelings must be consulted by Party leaders in order to gain their support. Whatever insincerity there may be in the latter, however they may be suspected of professing opinions for the purpose of their policy, the people can have no such sinister motives. Hence a Party may take popular ground when in opposition with the view of defeating the Court, and it may also take the same ground in office to fortify itself against a hostile Court or a generally unfriendly aristocracy.

This induction of facts is incomplete, if the *instantia negativa*, the converse proof, be wanting, of cases where great principles not espoused by Parties, nor made matter of Party manœuvring, have had a different fate. Unhappily there are comparatively very few questions of importance which have enjoyed this exemption. One of the greatest of all, however, the Slave Trade, is of the number; the Abolition having been first taken up by Thomas Clarkson, a Foxite in opinion, and in Parliament by Mr. Wilberforce, a friend of Mr. Pitt (but neither of them Party men), was never made the subject of Party distinction. Hence, the men of both sides were divided on it, according to the colours of their real opinions, and not of their Party differences: nor was it ever either supported or opposed by the marshalled strength of faction. The doctrines of Free Trade and the amendment of the

Criminal Law furnish other instances of the same rare description. No one can be at any loss to perceive how very differently these questions have been handled from the Party ones to which we before adverted. No one can be at a loss to perceive how much truth has gained by the remarkable diversity.

We have hitherto been referring to the fate of great principles,—of general questions; but the same will be found to have been the treatment of subjects more personal and accidental. Mr. Pitt, after a short co-operation with the Whigs, sacrificed them to the prejudices of the King and returned to power, while they retired to their opposition places and habits. If, instead of this result, the negociations of 1804 had led to a junction of the two great Parties, he is a bold man who will take upon himself to affirm that the Whigs would on the Treasury Bench have read Lord St. Vincent's famous 10th Report with the same eyes which glared upon Lord Melville from the opposite side of the House, and conducted them to the impeachment of that Minister a few months afterwards. Again, the greatest personal question that ever distracted rather than divided the country, was the treatment of the Queen in 1820. Had the Whigs then been in office under George IV., as they were in habits of Party connexion with him in 1806, would they have been so strenuous in opposing his favourite Bill of Pains and Penalties? It would be a very adventurous thing to assert anything of the kind, when we recollect how unreservedly they lent themselves in 1806 to the first persecution of the ill-fated Queen by the "Delicate Investigation," as it was most inappropriately called, which they conducted in secret and behind the back of the accused. The Tories were then in opposition to the Prince and to the Whig ministry; and they bitterly denounced that secret proceeding. Who can doubt that had the Whigs in 1820 been the ministers and proposed the Bill, it would

have found as strenuous opposition from the Tories as this Bill found from the Whigs? But are we left to our conjectures upon this point? No such matter. The Tories are now in opposition; the Whigs in office; and a bill of attainder has been defended by the Whigs and opposed by the Tories, having for its avowed object to banish men from their country without a trial, or a hearing, or even a notice; and accomplishing this object by declaring their entrance within their land a capital offence. Had the Whigs in power brought forward a bill to exile the Queen without hearing her, and to declare her landing in England high treason, we have a right to affirm that the Tories being in opposition would have strenuously resisted such a measure. Two cases more parallel can hardly be imagined; for there was a charge of treason in both; there was the temporary absence of the party accused; there was a riot or tumult expected upon that party's return; there was the wish to prevent such a return; and there was no desire in either the one case or the other to shed a drop of blood, but only a wish to gain the object by a threat. On the other hand, have the Tories any right to affirm that if they had chanced to be in power when the Canada affairs were to be settled, no bills of attainder would have been passed? The forms of law might have been more artificially and skilfully preserved; but that the principles of substantial justice would have been better maintained towards Papineau and his adherents in 1838 than they were towards Queen Caroline in 1820, we have no right whatever to believe. The Bill of 1820 is the great blot upon their public character, the worst passage by far in the history of their Party; and they must have felt while they assented to its iniquities and plunged the country into the most imminent dangers, that they were yielding to the vilest caprices of an unprincipled and tyrannical master.

It must not be supposed that those who concur in

these general remarks upon Party are pronouncing a very severe censure upon all public men in this country, or placing themselves vainly on an eminence removed from strife, and high above all vulgar contentions—

> Despicere unde queas alios, passimque videre,
> Errare, atque viam palantcis quærere vitæ—
> LUCRET. II.

The blame now cast upon politicians affects them all equally; and is only like that which ethical reasoners on the selfish theory of morals may be supposed to throw upon all human conduct. In fact that blame applies not to individuals, but to the system; and that system is proved to be bad;—hurtful to the interests of the country, corrupting to the people, injurious to honest principle, and at the very best a clumsy contrivance for carrying on the affairs of the State.

It is partly the result of our monarchical constitution, in which the prince must rule by influence rather than prerogative; but it is much more to be derived from the aristocratical portion of the constitution—a portion necessarily belonging to our limited monarchy, and productive of evils which materially lessen the benefits derived from them. The great families in their struggles with each other and against the Crown, have recourse to Party leagues, and the people are from time to time drawn into the conflict. The evils which flow from this manner of conducting public affairs are manifest. The two greatest unquestionably are, first, the loss of so many able men to the service of the country, as well as the devotion of almost the whole powers of all leading men to party contests, and the devotion of a portion of these men to obstructing the public service instead of helping it; and next, the sport which, in playing the party game, is made of the most sacred principles, the duping of the people, and the assumption of their aristocratic leaders to dictate their opinions to them. It is a sorry account of any political

machine that it is so constructed, as only to be kept in order by the loss of power and the conflict of forces which the first of these faults implies. It is a clumsy and unwieldy movement which can only be effected by the combined operation of jarring principles, which the panegyrists or rather apologists of these anomalies have commended. But it is a radical vice in any system to exclude the people from forming their own opinions, which must, if proceeding from their own impulses, be kept in strict accordance with their interests, that is, with the general good; and it is a flaw, if possible, still more disastrous, to render the people only tools and instruments of an oligarchy, instead of making their power the main spring of the whole engine, and their interest the grand object of all its operations.

Of this we may be well assured, that as Party has hitherto been known amongst us, it can only be borne during the earlier stages of a nation's political growth. While the people are ignorant of their interests, and as little acquainted with their rights as with their duties, they may be treated by the leading factions as they have hitherto been treated by our own. God be praised, they are not now what they were in the palmy days of factious aristocracy, of the Walpoles, and the Foxes, and the Pelhams—never consulted, and never thought of unless when it was desirable that one mob should bawl out "Church and King," and another should echo back "No Pope, and no Pretender." They have even made great advances since the close of the American war, and the earlier periods of the French Revolution, when, through fear of the Catholics, the library of Lord Mansfield, and through hatred of the Dissenters, the apparatus of Dr. Priestley, were committed to the flames. Their progress is now rapid, and their success assured in the attainment of all that can qualify them for self-government, emancipate them from pupilage, and entitle them to undertake the man-

agement of their own affairs. Nor will they any more suffer leading men to make up their opinions for them, as doctors do the prescriptions which they are to take, or consent to be the tools and the dupes of party any more.

JOHN, FOURTH DUKE OF BEDFORD.

JUNIUS—ANONYMOUS SLANDER.

THE purpose of the following observations is to rescue the memory of an able, an amiable, and an honourable man, long engaged in the public service, both as a minister, a negotiator, and a viceroy,* long filling, like all his illustrious house, in every age of our history, an exalted place among the champions of our free constitution,—from the obloquy with which a licentious press loaded him when living, and from which it is in every way discreditable to British justice, that few if any attempts have, since his death, been made to counteract the effects of calumny, audaciously invented, and repeated till its work of defamation was done, and the falsehood of the hour became confounded with historical fact.

Beside the satisfaction of contributing to frustrate injustice, and deprive malice of its prey, there is this benefit to be derived from the inquiry upon which I am about to enter. We shall be enabled to test the

* He was in 1744, when thirty-four years of age, first Lord of the Admiralty, in which capacity he brought forward Keppel, Howe, and Rodney. In 1748 he became Secretary of State, and continued in that office till 1751. In 1756 he went to Ireland as Lord Lieutenant, and remained there with extraordinary popularity till 1761, when he was made Lord Privy Seal. Next year he went as Ambassador to Paris, and after his return was made President of the Council. He retained this office till 1766. He was in 1768 chosen Chancellor of the University of Dublin; and died in 1771. All who have ever spoken of this excellent person, with the exception of Junius, have praised his frank and honest nature, wholly void of all dissimulation and all guile; and have borne a willing testimony to the soundness of his judgment, as well as his unshaken firmness of purpose.

claims of a noted slanderer to public confidence, and to ascertain how little he is worthy of credit in his assaults upon other reputations. But we shall also be enabled to estimate the value of the class to which he belongs, the body of unknown defamers who, lurking in concealment, bound by no tie of honour, influenced by no regard for public opinion, feeling no sense of shame, their motives wholly inscrutable, gratifying, it may be, some paltry personal spite, or actuated by some motive too sordid to be avowed by the most callous of human beings, vent their calumnies against men whose whole lives are before the world, who in vain would grapple with the nameless mob of their slanderers, but who, did they only know the hand from whence the blows are levelled, would very possibly require no other defence than at once to name their accuser. That the efforts of this despicable race have sometimes prevailed against truth and justice; that the public, in order to indulge their appetite for abuse of eminent men, have suffered the oft-repeated lie to pass current without sifting its value, and have believed what was boldly asserted, with the hardly-credible folly of mistaking for the courage of truth, the cheap daring of concealed calumniators, cannot be doubted. The effects produced by the vituperation of Junius upon the reputation of the Duke of Bedford would at once refute any one who should assert the contrary. It becomes of importance then to prove how entirely groundless all his charges were; to show how discreditable it was to the people of this country that they should be led astray by such a guide; and to draw from this instance of delusion a lesson and a warning against lending an ear to plausible, and active, and unscrupulous calumniators.

Before proceeding with our subject, however, we may stop to consider an example of the effect produced upon public opinion, even permanently, by the invention of some phrase easily remembered, and

tending to preserve the malignity of the fiction by the epigram that seems in some sort to embalm an otherwise perishable slander. At a moment of great popular excitement (July, 1769), the Livery of the city of London presented an address to the Sovereign, in which they closed a long list of grievances with the statement that "instead of punishment, honours had been bestowed upon a paymaster, the public defaulter of unaccounted millions." The recent elevation to the peerage of Henry Fox, the first Lord Holland, lately Paymaster of the Forces, was plainly here signified; and it is a humiliating reflection to those who justly prize public opinion, that it should be the sport and the dupe of such audacious impostures. For it is vain to deny that the epithet here bestowed upon that statesman has, in a certain degree, clung to his memory, and given an impression injurious to the purity of his character. The calumny being promulgated by an irresponsible body, and in an address to the throne, no proceedings at law were possible, at least none that would not have been attended with extreme difficulty in a technical view. Lord Holland, however, lost no time in giving the tale his most peremptory contradiction, and by an appeal to facts as notorious to all the world as the sun at noon-day-tide. The falsehood, like most others, rested upon a truth, but a truth grossly perverted. The moneys which had passed through the Paymaster's hands were, in one sense, wholly unaccounted; that is, the accounts of his office had not yet been wound up; but they had been delivered in, were under the examination of the auditors, and awaited the final report of these functionaries. It was shown that those accounts, which extended over the years 1757, 1758, and 1759, had reference to military expeditions in many distant parts of the globe, and that they related to a larger expenditure than in any former war had ever been incurred. Yet they were declared nine years after they

closed. But Mr. Winnington's for 1744, 1745, and 1746, were only declared in 1760, or fourteen years after their close; and Lord Chatham's, which closed in 1755, were not declared in 1769. It is also to be observed, that Lord Chatham had ceased to hold the office in 1755, and had not declared his accounts fourteen years after; whereas Lord Holland had only resigned the paymastership three years and a-half before the charge was made. He had also paid over in eight years balances to the amount of above £900, 000, arising from savings which he had effected in the sums voted for different services. It would certainly not be easy to furnish a more complete answer than the calumnious assertion of the Livery thus received. But it is also certain that the calumny long survived its triumphant refutation. Even in the later periods of party warfare it was revived against the illustrious son of its object; men of our day can well remember Mr. Fox having it often flung in his teeth, that he was sprung from the "defaulter of unaccounted millions."

The foul slanders of Junius upon the Duke of Bedford differ from the calumny of the Livery in this, that they plainly furnish to any one who attentively considers them, complete proof of their own falsehood, in by far the most material particular, and consequently should at once fall to the ground as generally discredited. And they would so fall did not men make it a rule to encourage slander and defeat the ends of truth and justice, by lending a willing ear to all that is alleged against their fellow-creatures, and overlooking, or straightway forgetting, all that is urged in their defence.

The hatred which this writer evinced towards the Duke rests, as far as it has any public ground to support it, upon the junction of the Bedford party with Lord Bute against Lord Chatham; but in all probability there was some sordid or spiteful feeling of a personal kind at the root of it. Lord Chatham had

been, like all the great men of the day, the object of the slanderer's fiercest vituperation. He had repeatedly treated him as a "lunatic," and frequently as a "tyrant." Lurking under the name of Publicola, he had lavished upon him every term of gross abuse which his vocabulary supplied; a "man purely and perfectly bad;" a "traitor;" an "intriguer;" a "hypocrite;" "so black a villain, that a gibbet is too honourable a situation for his carcase" (*Woodfall's Junius*, ii. 458). But in the course of a few months from his last attack, which was in 1770, he became appeased; and, whether from beginning to favour Lord Chatham the year before, or from mere hatred towards Lord Bute, his fury broke forth against the Bedford party, in the letter to its chief, which has been the subject of so much observation, and is certainly the most scurrilous of any that were printed under the name of Junius.

This letter, beside a number of vague charges, amounting only to intemperate abuse, accuses the Duke in his public capacity of having betrayed his trust as ambassador in negotiating the peace of Paris, and betrayed it for money: in his private capacity it charges him with avarice, and hardness of heart towards his only son, for whose sudden death, by a fall from his horse, no due feeling was evinced; and in a capacity partly public, partly private, it charges him with grossly insulting the sovereign at an audience of his Majesty. There is, further, an allusion to a scene at Lichfield races, represented as derogatory to his honour as a gentleman.

1. He is accused of giving up Belleisle, Goree, Guadaloupe, St. Lucia, Martinique, the Fishery, the Havanna. The proof of this, the main charge being corrupt conduct, rests upon the Duke's "pecuniary character," which made it "impossible that so many public sacrifices should be made without some private compensation." This "internal evidence," we are told, is, "beyond all the legal proofs of a court of

justice" (i. 510). When pressed by Sir W. Draper for proofs, the slanderer impudently reiterated his assertion, that the Duke's conduct "carried with it an internal and convincing evidence against him," adding, that "if nothing could be true but what might be proved in a court of justice, then the religion itself, which rests upon internal evidence, never could have been received and established" (ii. 25). Finally, he refers to De Torcy's Memoirs for a statement that "a bribe may be offered to a duke and *only not be accepted*," meaning the Duke of Marlborough; from which the inference is that, because some one has said one man was offered a bribe which he refused, therefore, another must be believed to have been offered one and accepted it.

That any degree of public malice should have blinded men to the utter flimsiness of this charge, or that any power of epigrammatic writing should have prevented all readers from flinging it away in scorn, seems really incredible. Yet this is not all, nor even the greater part of the revolting absurdity. The charge is, upon the fact of it, false, for it is absolutely impossible. To suppose that an ambassador sent to negotiate a peace has the power to accept any terms whatever which his employers do not authorize him to accept; but above all, an ambassador sent to Paris and corresponding daily with the cabinet in London, argues a degree of thoughtless folly wholly incredible. As well might the courier who carries the instructions be supposed to have the power of giving up islands and fisheries, as the negotiator. Besides, the whole course of the negotiation in 1762 was conformable to that which, in 1761, had been begun while Lord Chatham was in office. The islands of Guadaloupe and St. Lucia had been offered by him, and Canada had been offered by France. These were the main body of the cessions on either side. The refusal, in 1761, to make any peace without the King of

Prussia, and the treating without him, in 1762, was the main difference in the two cases, and was amply accounted for by the abject state of that prince's fortunes in the former year, and his triumphant position in the latter.

The opinions of all men on the merits of this peace have long since been settled, and even at the time it escaped the fate which faction reserved for the next treaty that was made to terminate a war; it was approved by immense majorities of both Houses of Parliament—without a division in the Lords, by 319 to 65 in the Commons. The most eminent authorities both at home and abroad pronounced unbounded praise upon the ability displayed by the Duke in the negotiation. The king himself was beyond measure pleased with it, and showed his sense of the services rendered in a marked manner. The ministers declared that no man but the Duke could have so conducted the negotiation, and that no man had ever rendered so great a service to the state. The veteran diplomatists, Sir Joseph Yorke and Sir Andrew Mitchell, affixed to the treaty the stamp of their hearty admiration; and Lord Granville, having only lived to witness the event, declared that "the most glorious war had been terminated by the most honourable peace this country ever saw."

Finally, the story of French gold having been used, not, indeed, to perform the impossible feat of bribing our ambassador's surrender of colonies, but to gain over his employers, had been imputed by an idle busybody, called Dr. Musgrave, sometime before Junius took up the slander, and a committee of the House of Commons, having soon after investigated the matter, reported that it was utterly frivolous and destitute of all foundation. Now this is fatal to the credit of Junius for veracity, and at once and clearly convicts him of fabrication. For the parties named by Musgrave were the Dowager Princess of Wales, Lord

Bute, and Lord Holland; the Duke of Bedford not being named or alluded to at all in the story.* Yet Junius revives the refuted tale after it had been notoriously repudiated by the political enemies of the parties accused; and he transfers the story to a party on whom, frivolous as it was, the slander never had been made to attach by its author.

In one accidental particular, the ambassador had an opportunity of acting upon his own responsibility, and did act, in the only way in which an honourable man could; and his interposition was effectual to the only extent to which a negotiator ever can effectually operate in his individual capacity,—the extent of preventing a premature signature of the treaty. The East India Company had, by a strange oversight, confined their demand of a stipulation in their own favour to a period before the acquisition of their chief conquests; and the article in the preliminaries was drawn and signed accordingly. The error being pointed out to the Duke by a private individual, he immediately repaired to the French minister, and insisted upon an alteration of the provisions. The minister, the Duc de Choiseul, relied on the signed preliminaries; but the Duke of Bedford firmly declared that he should at once return to London, and "submit his head to the discretion of Parliament," taking upon himself the error of his instructions. The threat was effectual, and the change was made, which restored a territory having the revenue of half a million sterling, to the Company and the Crown.

2. The charge of parsimony against the Duke rests upon the same foundation, on which a like charge might have been brought against my most dear and respected friend, the late duke, his grandson, one of the most generous of men. His domestic economy

* Woodfall (i. 571), with a most inexcusable inaccuracy, gives the story as if it had comprehended the Duke. He never was in any way referred to.

was regulated with care, and showed that superintendence of the head of the family over its concerns, and that spirit of order, which, with qualities of a much higher nature, has ever distinguished the House of Russell. That there was any want of liberality in the treatment of the lamented person whose sudden death proved the severest blow to the hopes of his kindred, may be at once denied, on the fact made public at the time, that Lord Tavistock's allowance was £8,000 a year; that his widow's jointure was increased greatly beyond her marriage settlement on his decease; and that £50,000 were immediately provided for the posthumous child of whom she was *enceinte* at the time of the accident. The story of the father's affliction having been less poignant than might have been expected, rests on his having, as speedily as he could, sought the distraction which is to be found in the discharge of public duties. But, I can add that woeful experience speaks to the possibility of performing these during a course of years, when domestic affliction has wholly prevented its victim from indulging in the most ordinary relaxations of social life. The brutal slanderer who could interfere at such a moment to outrage the grief of a parent, cared as little for the truth of his charge as he could know of the feelings which he invaded.

Other testimony, and of a very different value, exists to the complete refutation of his cold-blood calumnies. The journal of the Duke has been published, and though up to the hour of his affliction there is a regular entry of each day's occurrences, a whole month appears in blank from the Marquess's accident, which only proved fatal at the end of above a fortnight. Horace Walpole, who writes at the time, and was no careless collector of scandal, describes him as "a man of inflexible honesty and love for his country;" vindicates him from all suspicion of parsimony; declares that if he loved money it was only "in order to use it sensibly

and with kindness to others," and says not a word to countenance the imputation of his showing an unfeeling nature.* Another witness of greater fame, no less than David Hume, then Under Secretary of State, bears a more direct testimony to the passage in question of the Duke's life. Writing to Madame de Barbantane, he says that "no one at first believed he would have survived the loss;" and in a letter written between three and four months later to Madame de Boufflers, he says, it was fortunate for the Duke that the calamity came upon him "when public business gave his friends an opportunity of making him take a part to distract his attention, but that he has not yet recovered the shock." He adds that the duchess, "to whom the world had not ascribed so great a degree of sensibility, is still inconsolable." Such testimony may well be deemed to countervail the fabrications of Junius. But Junius is read because of his style, which a corrupt taste prizes very far above its value, and the character of a just, a generous, and an amiable man is sacrificed to the morbid taste for slander steeped in epigram.†

3. The story respecting an insult offered to the king is at once refuted by naming that sovereign: it was George III. Who can for a moment believe that any man durst treat him as Junius impudently describes, partly in the foul text, partly in the fouler note? "He demanded an audience of the king, reproached him, in plain terms with his duplicity, baseness, falsehood, treachery, hypocrisy, repeatedly gave him the lie, and left him in convulsions." This was in the year

* In a new publication since this was printed, one letter of Walpole represents the Duke as almost killed by the shock, and only saved by his body breaking out in boils: a subsequent letter treats his attendance in Parliament as unfeeling. But the former passage is fact; the latter is surmise.

† The cause of truth is much indebted to the industry of Mr. Wright, the able and well informed editor of Sir H. Cavendish's admirable debates, in bringing together these extracts from contemporary writers of reputation to refute the calumnies of Junius.

1769, when George III. had nearly attained his thirtieth year. Is it necessary to say more than to express our special wonder at any credit having ever been given to a writer so shamelessly careless of the accuracy or even probability of his statements—a writer who gravely tells things which no mortal can for a moment believe?* This may at least be said for the periodical press of the present day,—that those who conduct it, and who are, many of them, careless enough of the truth, indifferent enough to the falsehoods which they propagate, and ready enough to circulate the tales they hear against those whom they are pleased to assail, nevertheless feel the necessity of preserving some colour of probability, of keeping some measures in their relations; and would dread the loss of their credit for common sense, as well as veracity, were they to print such tales as Junius possibly believed and certainly without scruple circulated.

4. That some man, said to have been intoxicated at a race-course, insulted the Duke of Bedford, Lord Trentham (afterwards Lord Stafford), and Mr. Rigby, is very possible. It was the outrage of a Jacobite mob in 1746, enraged at their recent failure, and the parties were tried for the riot.† That the chief assailant was of a description which made any personal revenge wholly out of the question has never been doubted. The same accident might have happened to the Duke of Marlborough or Marshal Turenne. Who but a slanderer of the basest order

* He used strong and honest language in remonstrating with the King, but never anything approaching to the violence and insult described by Junius.

† The Duke was staying on a visit at Lord Trentham's, and the Gower family had just left the Pretender's party, to so great indignation of the Jacobites, that Dr. Johnson names them to exemplify the word *renegade* in the first edition of his Dictionary. The scuffle was plainly directed, by the Jacobite mob, against the party coming to the race-course from Trentham, and the Duke chanced to be one.

would ever have even made an allusion to such a matter?

It is hardly necessary to add anything in illustration of the utter indifference to all consideration of truth or falsehood which formed part of this writer's nature. But a singular instance of this remains, as it were, on record, and it shows so mean a disposition that we may, with some benefit, contemplate it. That anonymous writers will make assertions which they never would venture upon were their persons known, is a position so highly probable that we require little evidence to make us believe it. But their whole conduct, while skulking behind a veil, proves it. We have not often, however, such a demonstration of this truth as Junius has furnished. He had written a letter in answer to one pretending to be from a female signing her name Junia, but since avowed to be the production of Caleb Whitefoord. This answer is in a tone of somewhat more than gallantry: it savours of indecency; it has more than mere levity. Whether for this reason, or because the discovery of his having been taken in to write such an amorous epistle to a man seemed likely to cover the party with inextinguishable ridicule, and, from the caprice of the public, to ruin a popularity which the more grave crimes of malice and falsehood had failed to injure; certain it is that he repented having written his answer, and he then scrupled not to dictate a lie which his poor publisher printed as his own assertion knowing it to be false. "We have some reason to suspect (says Mr. Woodfall, four days after the unfortunate letter appeared) that the letter signed 'Junius,' inserted in this paper of Thursday last, was not written by the real Junius; though we imagine it to have been sent by some one of his waggish friends, who has taken great pains to write in a manner similar to that of Junius, which observation escaped us at that time. The printer takes the liberty to hint that it will not do a second

time."—*Edit.* (iii. 218). The substance of this falsehood, nay, almost all the words of the first and chief sentence of it, was written by Junius himself, and sent to the printer in a letter containing what in all likelihood is another falsehood, namely, that "there are people about him whom he does not wish to contradict, and who had rather see Junius in the papers ever so improperly than not at all" (i. 199). He desires Mr. Woodfall to "hit off something more plausible if he can, but without a positive assertion;" intending, of course, should he ever be discovered and should not be able to fix the contradiction upon his printer, to deny that he had told the lie directly. In the history of anonymous writings there have been few passages more mean, few reflecting more light on the consequences of a habit of anonymous slander. This complicated scene of falsehood was enacting at the very time that the letter to the Duke of Bedford was in preparation; that letter is announced in the 'Advertiser' in consequence of a note dated Sept. 15, at which time it was "copying out." The note desiring the untruth to be inserted is dated Sept. 10th. Surely some discredit naturally rests on the unvouched assertions of a person who, while engaged in committing them to paper, is also occupied with framing elaborate falsehoods for the purpose of extricating himself from a difficulty of his own creating. Such, at least, would be the result in a case of another description, touching any witness who came forward in his own proper person to accuse his neighbour. But there prevails a most inexplicable disposition in the public to judge nameless calumniators by different rules from those which all mankind apply to known accusers; and to make the very fact of their skulking in the dark, the very circumstance of their being unknown to all the world, a ground of giving credence to them, and a protection to them from the ordinary objections to discreditable testimony. Because they do not appear

they are supposed unassailable; whereas the inference should rather be that they have good reason for not showing themselves.

There is no characteristic more universal of such writers than their indiscriminate railing. They are, in very deed, no respecters of persons. Their hand is against every one. Obscure themselves, they habitually envy all fame. Low far beneath any honest man's level, as, they feel conscious, they must sink were the veil removed which conceals them, they delight in pulling all others down to nearly the same degradation with themselves. Nor is it envy alone that stimulates their malignant appetite. Instinctively aware of the scorn in which they are held, and sure that, were the darkness dispelled in which they lurk, all hands would be raised against them, they obey the animal impulse of fear when they indulge in a propensity to work mischief.

To these remarks Junius affords no exception. It is untrue to assert, as some have done, that he had his idols. Lord Chatham has been named, and we have seen how, more than any other statesman of his age, that venerable patriot was assailed by his foulest abuse; assaulted not indeed under the same, but another disguise. For, as unmingled vituperation would pall upon the appetite, as bitters like sweets may require to be dashed and varied, even Junius found it necessary to give some relief to his pictures, and to paint some figures in a brighter hue; not to mention that contrast becomes necessary in order to blame the more effectually, or as Sir Philip Francis in his own person used to say, "Praise is bearable when used *in odium tertii*." Eulogy, however, thus bestowed by compulsion, was soon repented and begrudged; nor could so ungenial a soil long support so exotic a plant. If Junius could not with safety for his consistency extirpate it, he ceased to foster it, and pruned it, or let it die away; and he had always the resource

of changing his mask; and the Publicola could make up by increased virulence and scurrility for the temporary laudation into which Junius had been driven or beguiled.

It is almost equally incorrect to say that Lord Camden was not attacked by Junius. He is in one place represented as "an object neither of respect nor esteem," and as having at different times held every kind of opinion and conduct (iii. 174); in another, as the "invader of the constitution, after trampling the laws under his feet" (ii. 472); and, in a third, as "an apostate lawyer, weak enough to sacrifice his own character, and base enough to betray the laws of his country" (ii. 457).

The attacks of Junius upon Lord Mansfield have been treated of under a former head, and it has been shown how utterly void of foundation all these charges were. In fact, the whole originated in the most profound ignorance of the subject which the nameless slanderer had undertaken to discuss. That his venom, however, produced some effect is undeniable. The spirit of party, the general desire to see a great man humbled; above all, the feeling which, it must be confessed, prevails in the people of this country, unfriendly to the judicial dignity, though sufficiently respectful towards the administration of justice in the abstract—all worked with the authors and disseminators of the groundless invectives, and made men not indeed suppose that Lord Mansfield was "the very worst and most dangerous man in the whole kingdom," but that he was open to attack beyond other judges, and was no longer so invulnerable as the voice of the profession had hitherto pronounced him to be. As a proof how much progress unprosecuted slander had made in undermining this great magistrate's reputation, at least for a moment, take the following passage in Horace Walpole's Letters: it was written in the beginning of the session, 1770-1. "If we have

nothing else to do after the holidays, we are to amuse ourselves with worrying Lord Mansfield, who, between irregularities in his court, timidity, and want of judgment, has lowered himself to be the object of hatred to many, and of contempt to every body. I do not think that he could re-establish himself if he were to fight Governor Johnstone" (*Letters to Sir H. Mann*, ii. 120).

The effects of continually assailing a judge are somewhat singular. Because it is an unquestionable position that judicial reputation ought never to be rashly attacked, and that all society have an interest in upholding it, there arises a most preposterous notion that when this rule is violated there must be some ground for the imputations cast; and thus the principle which should be the safeguard of the Bench is converted into a means of sapping its authority. Add to this, that no great judge can have long filled his place without giving offence to numerous individuals and to many members of his own profession, even although he may not have had the disposal of patronage, the most fruitful of all the sources of official unpopularity. A judge, too, when assailed is extremely helpless. He is essentially a passive character. He has no means of exhibiting whatever pugnacity he may be endowed with, even in self-defence. This, which with all generous natures, would operate as his safeguard, only furnishes an additional temptation to meaner beings, and encourages them in their assaults. The result certainly is that temporary clouds generally overcast the brightest judicial reputation at some period of its course. But it is equally certain that such clouds speedily pass away; no man now thinks the worse of Lord Mansfield because of Junius.

It is not even true that the family of Lord Holland were always treated with respect, although from the certain fact of the Francises, whom that family patronized, being at least connected with Junius, if not the real

authors of the Letters, it could hardly be supposed that it would ever be the object of his assiduous abuse. But nothing can be more contemptuous than his treatment of Mr. Fox, whom he suspected, evidently against all probability, of having written an answer to one of his Letters; and while he plainly states that Lord Holland is "not invulnerable," he throws out a dark threat to the son, and, indeed, to the whole family, to beware how they provoke him (iii. 410); signing the letter "Anti-Fox."

The only public man of any mark whom he spares appears to be Mr. George Grenville. This exemption he certainly owed much less to his truly respectable, and indeed invulnerable character, than to the circumstance of his being anything rather than a brilliant person, and to the accident of his being wholly removed from power and office, and almost from all political influence, during the last years of his honourable and useful life. But it must be further remarked, that he died long before the close of Junius's writings. These extended to May, 1772, under various names, and under the most famous of his signatures, to the month of January in that year; and Mr. Grenville died in November, 1770, before more than half the career of Junius had been accomplished.

So universal was his attack—But although the remark be trite, that he who accuses all men only convicts one, it is, after all, on the audacity of his falsehoods that the bad character of this writer, like that of all his tribe, rests, although to this his temporary influence was in great part owing. His scurrilous abuse of the Duke of Grafton and Lord North can hardly be termed mere licentious ribaldry, for truth is plainly violated when the former is called "the infamous Duke of Grafton," one "branded with the infamy of a notorious breach of trust," one "degraded below the condition of a man"—when the latter is described "as totally regardless of his own honour,"

noted for "the blackness of his heart," and a "steady perseverance in infamy;" "long since discarding every principle of conscience;" a man "every one action of whose life for two years has separately deserved impeachment." But many specific accusations were scattered abroad. We have seen the pure invention of the writer's malice in the falsehoods deliberately told against the Duke of Bedford, especially in the fabrication respecting the Peace of Paris; and we have seen how he grafted that untruth upon the story imported by Dr. Musgrave, and relating to other parties. That his motive was to hit in the point which he believed was the most sensitive, is beyond all doubt. The Duke's public character mainly rested on the success of his negotiation; and as he was naturally tenacious of that reputation, so were the people of this country equally alive to any suspicion of pecuniary corruption in public men. Therefore it was that the species of falsehood must be coined which should meet those several demands for it. But we are not left to conjecture upon this point. Under the writer's own hand we have a history of the designs over which his heart brooded. The printer had been deterred from publishing a letter, under the signature of Vindex, by the fear of prosecution. Junius tells him that the charge contained in it is the only one to which its object has not long been callous. The intended victim was the King; the charge was of cowardice! "I must tell you," says Junius, "and with positive certainty, that our gracious —— is as callous as stockfish to every thing but the reproach of *cowardice*. That alone is able to set the humours afloat. After a paper of that kind he won't eat meat for a week." (i. 221.) I need hardly add that the utter falsehood of such a charge was at all times of George III.'s life admitted by all parties, even in the utmost heat of factious conflict. But this writer, with the malignity of a fiend, frames his slander in order to assail with certainty the

tender point of his victim. And such, we may be assured, are the motives which actuate the greater number of those who drive the base trade of the concealed slanderer.

It is truly painful to reflect upon the success which attended the disreputable labours of this author, at a time when good writing was very rare in ephemeral publications, and long before the periodical press had lost its influence and respectability by the excesses into which it has run in later times. The boldness of the assaults made upon individuals, full as much as the power with which they were conducted, had the effect of overawing the public, and in many cases of silencing those against whom they were directed. The very circumstance which should have impaired their force, gave them, as it always does, additional impression. The "*unknown*" and the "*great*" were, as usual, confounded. The same things which, said by any one individual, though respectable in himself, would have had but little weight, seemed to proceed from an awful and undefined power, which might be one or many, and possess an importance that the imagination was left to expand at will. But it is still more painful to observe such men as Lord North and Mr. Burke lending themselves to support the popular delusion, the one from his wonted candour and good humour, the other from factious motives; both, in some degree, from the kind of fear which makes superstitious men sacrifice to evil spirits. Lord North calls him "the great Boar of the Forest," and the "mighty Junius;" Mr. Burke wishes that Parliament had the benefit of "his knowledge, his firmness, his integrity." It would have been a worthier task for Lord North to bring his unblushing falsehoods to trial before a jury of his country, as the Duke of Bedford should certainly have done; and it would have conferred more honour on Mr. Burke to have joined with all good men in reprobating the practices by which one of the foulest of libellers

degraded the liberty of the press, and prepared the way for the excesses which Mr. Burke himself was fated afterwards to deplore, and the contempt in which his perspicacity did not then perceive this great safeguard of our liberties was at a still later period in peril of falling.

At all events, we who now have had leisure to contemplate the period in which those great statesmen lived, and to weigh the justice of their tributes to this too celebrated writer, have the duty cast upon us of exposing his falsehoods, and of rendering a necessary though a tardy reparation, to those characters which he unscrupulously assailed. Nor is there any duty the discharge of which brings along with it more true satisfaction. It may be humble in its execution, but its aim is lofty; it may be feebly performed, but it is exceedingly grateful. Nor can any one rise from his labours with a more heartfelt satisfaction than he who thinks that he has contributed to rescue merit from obloquy, and to further the most sacred of all human interests, the defeat of injustice—injustice in which they share who fear to resist it. "Sed injustitiæ genera duo sunt; unum eorum qui inferunt; alterum eorum qui ab iis, quibus infertur, si possunt, non propulsant injuriam." (Cic. *De Off.*, 1.)

EARL CAMDEN.

JOHN WILKES—DEMAGOGUE ARTS.

AMONG the names that adorn the legal profession there are few which stand so high as that of Camden. His reputation as a lawyer could not have gained this place for him; even as a judge he would not have commanded such distinction, though on the Bench he greatly increased the fame which he brought from the bar; but in the senate he had no professional superior, and his integrity for the most part spotless in all the relations of public life, with the manly firmness which he uniformly displayed in maintaining the free principles of the constitution, wholly unmixed with any leaning towards extravagant popular opinions, or any disposition to court vulgar favour, justly entitle him to the very highest place among the judges of England.

It was a remarkable circumstance that, although he entered the profession with all the advantages of elevated station, he was less successful in its pursuit, and came more slowly into its emoluments than almost all others that can be mentioned, who have raised themselves to its more imminent heights from humble or even obscure beginnings. One can hardly name any other chief judge, except Bacon himself, who was the son of a chief justice. Lord Camden's father presided in the Court of King's Bench. He himself was called to the bar in his twenty-fourth year, and he continued to await the arrival of clients,—their "knocks at his door while the cock crew," *—for nine long years; but to wait in vain. In his thirty-eighth year he was, like Lord Eldon, on the point of retiring

* Sub galli cantum, consultor ubi ostia pulsat. *Hor.*

from Westminster Hall, and had resolved to shelter himself from the frowns of fortune within the walls of his College, there to live upon his fellowship till a vacant living in the country should fall to his share. This resolution he communicated to his friend Henley, afterwards so well known first as Lord Keeper, and then as Lord Chancellor Northington, who vainly endeavoured to rally him out of a despondency, for which it must be confessed there seemed good ground. He consented, however, at his friend's solicitation, to go once more the western circuit, and through his kind offices received a brief as his junior in an important cause—offices not perhaps in those days so severely reprobated as they now are by the more stern etiquette of the profession.

The leader's accidental illness threw upon Mr. Pratt the conduct of the cause; and his great eloquence, and his far more important qualifications of legal knowledge and practical expertness in the management of business, at once opened for him the way to brilliant fortune. His success was now secure. After eight years of very considerable practice, though unequal to that which most other great leaders have attained, he was made at once Attorney-General; and three years after, in 1762, raised to the Bench as Chief Justice of the Common Pleas, "the pillow," according to Lord Coke, "whereon the attorney doth rest his head." In 1749, when in his forty-sixth year, he had been chosen to represent the borough of Downton, but during his short experience of the House of Commons he appears not to have gained any distinction. The rewards of parliamentary ambition were reserved to a later period of his life.

Of his forensic talents no records remain, beyond a general impression of the accuracy which he showed as a lawyer, though not of the most profound description; *par negotiis neque supra.* The fame of his legal arguments in Westminster Hall is not of that species

which at once rises to the mind on the mention of Dunning's name, or Wallace's, the admirable variety and fertility of whose juridical resources were such that "their points" are spoken of to this day, and spoken of with admiration. But he greatly excelled them both in powers as a leader at Nisi Prius; and his eloquence was apparently of that chaste and gentle but persuasive kind which distinguished his great rival Murray, and made all the readers of Milton involuntarily apply to him the famous portraiture of Belial—

> Belial, in act more graceful and humane—
> A fairer person lost not heaven; he seemed
> For dignity composed and high exploit.
> His tongue
> Dropt manna, and could make the worse appear
> The better reason.

But his eminently judicial qualifications shone forth conspicuously when he rose into their proper sphere. His unwearied patience, his unbroken suavity of manner, his unruffled calmness of temper, the more to be admired because it was the victory of determined resolution over a natural infirmity, his lucid clearness of comprehension and of statement, his memory, singularly powerful and retentive, his great anxiety to sift each case to the very bottom, and his scrupulous, perhaps extreme care, to assign the reasons for every portion of his opinions, went far to constitute a perfect judge, inferior in value though these qualities might be to the profound learning that has marked some great magistrates, like Lord Eldon and the older lawyers; and, perhaps, to the union of marvellous quickness, with sure sagacity, for which others, like the Kenyons, and the Holroyds, and the Littledales, have been famous. There was, however, in Lord Camden no deficiency of legal accomplishments, nor any want either of quickness or of perspicacity in the conduct of judicial business. And it must ever be remembered, that as a judge has always, or almost always, the statements and the suggestions of all parties before him,

and is thus rather placed in a passive situation, those faculties of rapid perception and of deep penetration, that circumspection which no risk can escape, and that decision, at once prompt and firm, which instantly meets the exigencies of each sudden emergency, are far less essential virtues, far less useful attributes, of the ermine than of the gown. It is but rarely that a judge can be taken off his guard; never in any important civil suit, unless by some accident there is an extreme overmatch of the advocate upon one side compared with his antagonist; and chiefly possible in criminal cases, disposed of by a law which lies within a narrow compass, and connected with facts generally of ordinary occurrence and easy to deal with. It would thus be extremely erroneous to underrate Lord Camden's judicial qualities, merely because there have been many more consummate masters of English jurisprudence upon the bench, and some even of more extraordinary sagacity, quickness, and penetration.

In the great qualities of sustained dignity, chaste, and therefore, not exaggerated propriety of demeanour, absolute impartiality, and fearless declaration of his conscientious opinion, how surely soever it might expose him to the frowns of power, or the yet more galling censure of his profession, this eminent magistrate never had a superior, very seldom an equal. That profession is ever singularly jealous on such points, and particularly prone to suspect such conduct as proceeding from a love of popularity, which these learned men, having but rarely been able to taste, are extremely apt to pronounce unsavoury, citing the illustrious chancellor and philosopher, of whom they peradventure have only read the one saying, that "a popular judge is a deformed thing, and *plaudites* are fitter for players than for magistrates." This propensity of the bar Lord Camden well knew; but he felt, above all dread of its effects, conscious that he was instigated by no childish love of plebeian

applause, and only acted the part of an honest man, in showing by his judgments those sentiments which ever filled his breast—a sincere love of public liberty, and an entire devotion to the principles of the British constitution.

The decision of this great judge upon the question of general warrants, raised by the attempt of Lord Halifax, the Secretary of State, to search the house of Wilkes, and commit him to prison without a specification of his person or of his offence, further than stating it to be the publication of a seditious and treasonable paper, is well known to every reader; and no less known is the marked contrast of the dignified and severe justice of the bench, and the trumpery vapouring talk of the profligate trader in mob favour, whose oppression, by illegal exercise of power, had arrayed in his defence even those who most scorned his character and distrusted his professions. It was on the ground of his arrest being a breach of his parliamentary privilege that he obtained his discharge. This cause came before Lord Camden, as did the actions brought in consequence against the Secretary of State's messengers, who had executed the general warrant, the year after the Chief Justice came upon the bench. On the *habeas corpus* he had expressed an opinion, in which his brethren concurred, that such warrants were justified by numerous precedents. But when he tried at Nisi Prius the actions for false imprisonment, in which the legality of general warrants came in question, he declared his opinion to be that they were illegal, adding these memorable words—"If the other judges, and the highest authority in this kingdom, the House of Peers, should pronounce my opinion erroneous, I submit, as will become me, and kiss the rod; but I must say, that I shall always consider it as a rod of iron for the chastisement of the people of Great Britain."

The tenour of the warrant was, "to make strict and

diligent search for the authors and printers of a certain seditious and treasonable paper, entitled No. 45 of the North Briton, and them, or any of them being so found, to apprehend and secure, together with their papers, and to bring them in safe custody to be examined, and further dealt with according to law." The special jury who tried the cause, returned, after a trial of fifteen hours, a verdict for the plaintiff, with £1000 damages, in entire accordance with the Chief Justice's direction.

When a new trial was moved for misdirection, his Lordship made this solemn declaration of the law:— "To enter a man's house, by virtue of a nameless warrant, in order to procure evidence, is worse than the Spanish inquisition—a law under which no Englishman would wish to live an hour. It is a daring public attack upon the liberty of the subject, and in violation of the 29th chapter of Magna Charta (*Nullus liber homo*, etc)., which is directly pointed against that arbitrary power." *

The applause of his countrymen, that applause, which Lord Mansfield so eloquently described as following great actions and not run after, was dealt out to the Chief Justice in a liberal measure. The corporations of Dublin, Bath, Exeter, Norwich, besought him to accept their freedom. London herself enrolled him among her citizens, and placed upon the walls of Guildhall his portrait, magnificently painted by Sir Joshua Reynolds, with an inscription at once simple, chaste, and true: "*In honorem tanti viri Anglicæ libertatis lege assertoris.*"

Two years only elapsed before he was raised to the peerage; and in 1766, he succeeded his early and steady friend, Lord Northington, as chancellor. He held the Great Seal about four years.

* Buckle *v.* Money, 2 Wils. 205. The imprisonment had only been for six hours, and the treatment unexceptionable; but the Chief Justice had charged the jury on its being a violation of public liberty.

If his decisions in the Court of Chancery, during that period, have never been the subject of great panegyric, they certainly have escaped all censure; and he was of too firm a mind, and, at the same time, too discreet and modest, to fall into the great error which shipwrecked the judicial fame of future equity judges, well versed in the practice of their courts. He neither, like some of his successors, so vacillated, so disliked to pronounce the opinion he had formed, as to put off the evil day of decision, and overwhelm his court with causes heard and undetermined; nor did he place, like others, his chief praise in unhesitating and promiscuous dispatch of business, directing all his efforts to suppressing the arguments which it was his duty to hear, and estimating his merits by the number, rather than the excellence, of his judgments, so as to draw from Sir Samuel Romilly the comparison, that he preferred the slow justice of the chancellor to his deputy's speedy injustice. From these opposite rocks the calm and even course of Lord Camden's administration of justice preserved him safe. And, beside obtaining the praise of having dispatched all the court's business, in a manner to give the suitors and the bar satisfaction, he has left judgments of great merit on important questions. It may be enough to mention the well known case upon Bills of Review, Smith *v.* Clay, which fixes the law of the court upon that very important question; and which he decided in an argument, tolerably well preserved in some reports, an argument combining the highest qualities of judicial eloquence. His judgment, in the great case of Duke of Northumberland *v.* Earl of Egremont, after an argument of several days, also possesses rare excellence.*

* Ambler, 647 and 657, contains a very abridged account of these cases. I was favoured with Sir S. Romilly's full notes of my illustrious predecessor's judgment in Smith *v.* Clay, and communicated it to the Court during the first year that I held the Great Seal.

In parliament, his judicial as well as political conduct may be deservedly regarded as a model. In the celebrated Douglas cause, his argument on moving the reversal of the Court of Session's judgment, and establishing the legitimacy of the party claiming the Duke of Douglas's large estates, possesses the greatest merit. Lord Mansfield's engaged more of the public attention at the time, chiefly because of the famous letters of Andrew Stuart, to which it gave rise, and in which he was most severely and ably attacked. But whoever reads both speeches will find it difficult to refuse the preference to the Chancellor's; although there is every reason to believe that the Chief Justice's has been very imperfectly preserved. Both are to be found in the second volume of the *Collectanea Juridica.* But Andrew Stuart treats Lord Mansfield's as never having been published fairly, and from authority; and he dares him to the publication, in terms which seem to imply an intimation that there was something not convenient to give through the press, and a suspicion that the cautious Chief Justice would not venture upon the course pointed out.* It is moreover quite certain that the printed account to which I have referred contains no mention of Andrew Stuart, hardly any reference to him, while Lord Camden's speech is filled with direct charges distinctly brought against him; and yet the defence is entirely made as against Lord Mansfield, and no assault whatever is made upon Lord Camden. Lord Mansfield's judgment, as reported, is a most wretched performance, and chiefly rests on this position, that a woman of Lady Jane Douglas's illustrious descent could not be guilty of a fraud.

* "If the multiplicity of your other affairs be assigned as an excuse for avoiding to give any answer, there is yet another method which may serve to afford me satisfaction, and, may possibly do justice to yourself without consuming much of your time. *It is to publish to the world your speech against me in the Douglas cause.*"—Letter iv. page 38. (The Italics as in the original.)

I have spoken of Lord Camden's judicial conduct in the Courts of Westminster Hall, and in the House of Lords. He was, however, fully more eminent in the senate than in the forum. He brought into parliament a high professional reputation; and beside the reputation which this and his great office gave him, his talents were peculiarly suited to shine in debate. An admirable memory, ample quickness of apprehension, sufficient learning for all ordinary occasions, a clear and pleasing elocution, great command of himself, a natural vivacity which gave his manner animation without effort, rendered him one of the most impressive and pleasing speakers of his time. His conduct, too, had been uniform and consistent; he was always, whether on the Bench, or in the Council, or in Parliament, the friend of constitutional liberty, of which he steadily proved the honest but the temperate defender. He had taken a part which indicated some considerable difference with his colleagues, on the important question of American taxation; but after he had been Chancellor between three and four years, this difference occasioned his removal from office; and then disclosures were made which, it cannot be denied, served to cast some shade over a portion at least of his official conduct. The circumstances attending this passage in Lord Camden's life are extremely instructive, as throwing light upon the principles of the times, and in this view they deserve to be more closely considered.

When upon the assembling of parliament in January, 1770, Lord Chatham moved an amendment pledging the Lords with all convenient speed, to take into consideration the causes of the prevailing discontents, and particularly the proceedings of the Commons touching Wilkes's election, and closed his remarkable reply by affirming that, "where the law ends, there tyranny begins," Lord Camden rose and declared with a warmth unusual to him, that he had accepted the

Great Seal without condition, and meant not to be trammelled by the king (then correcting his expression)—by his ministers; but he added, "I have suffered myself to be so too long. I have beheld, with silent indignation, the arbitrary measures of the minister. I have long drooped and held down my head in council, and disapproved with my looks those steps which I knew my avowed opposition could not prevent. I will do so no longer, but openly and boldly speak my sentiments." He then supported Lord Chatham's amendment; declared that, if as a judge he should pay any respect to the vote of the Commons, he should look upon himself as a traitor to his trust and an enemy to his country; accused the ministers of causing the existing discontents; and all but in terms, certainly by implication, charged them with having formed a conspiracy against the liberties of the people. The ministers whom he thus accused had, through all the time of their measures causing the discontents, and their conspiracy against public liberty, been his colleagues, and still were his colleagues; for, strange to tell, he made this speech without having taken any step to resign the Great Seal. It is not to be wondered at that those colleagues should complain of such unexampled conduct, though they might have had themselves to thank for it; but it is singular that a month elapsed before the complaint could find a vent. On Lord Rockingham's motion for a Committee on the State of the Nation, at the beginning of February, Lord Sandwich charged the late Chancellor with duplicity in permitting the proceedings against Wilkes to proceed without remonstrance, and refusing to give any opinion respecting them. Lord Camden positively asserted, upon his honour, that he had informed the Duke of Grafton of his opinion, that those proceedings were both illegal and imprudent. The Duke admitted that he had once intimated, but not in express terms, that he thought

the measure impolitic or ill-timed; but that he had never given his opinion on the vote of incapacity;—on the contrary, that whenever the subject was agitated in the cabinet he had remained silent, or retired; and Lord Weymouth confirmed the Duke's statement, adverting to one particular occasion upon which, on the bare mention of expulsion or incapacity, Lord Camden had withdrawn from the discussion. Lord Camden repeated his assertion, that he had always entertained a strong opinion against the proceedings, and had frequently expressed it; but he admitted that, finding his opinions rejected or despised, he had absented himself from a cabinet where his presence could only distract his colleagues from a course already resolved on, and which his single voice could not prevent. Lord Chatham asserted, that Lord Camden had frequently made the same statement to him, supporting it by cogent reasons.

Upon this very extraordinary passage various remarks arise. But first of all it is natural to observe upon the singular state of a government thus conducted. The administration of public affairs in a very critical emergency, or what in those comparatively quiet times was so regarded, appears to have been committed to men who had little or no confidence in each other; and the first minister, in point of rank, the chief law adviser of the crown, the very head of the law, differed openly from all his colleagues upon the two great questions of the day, yet withheld his opposition to their measures, and even absented himself from their consultations as often as those matters were discussed. If anything could make this state of affairs more intolerable, and more inconsistent with the public good, it was the undoubted fact that the more pressing of the two questions, the proceeding respecting Wilkes, was entirely of a legal and constitutional nature, on which the Chancellor's opinion

was the most indispensably required, and was a question intimately connected with, if not mainly arising out of, judicial proceedings over which the Chancellor had, while Chief Justice of the Common Pleas, presided.

The next remark which suggests itself is, that the cabinet had no great right to complain of the line taken by Lord Camden; for he plainly had given his colleagues to understand that he differed with them, and that on this account he withheld his opinion from them. They had a right to object; they were entitled to require his aid, and on his refusing it, to demand his resignation. They chose to retain him amongst them, and therefore they took him on his own terms. But the party which had a right to complain of Lord Camden had an equal right to complain of all his colleagues, and that party was the country. A cabinet so constructed and so acting was wholly incapable of well administering the affairs of the nation, and it was the duty of his colleagues to require either his full co-operation or his retirement; and above all it was the duty of Lord Camden to relinquish his exalted station whenever he did not choose to perform its highest duties. To remain in office while he disapproved of the government's proceedings; to be responsible for measures on which he pronounced no opinion, but held an adverse one; to continue a nominal minister of the crown while the most important acts were doing in his name, which he believed must involve the country in a war with her colonies, and endanger also the peace of the empire at home—acts which he regarded as hostile to the principles of the constitution and subversive of the people's most sacred rights—was surely an offence of as high a nature as ever statesman committed. If it be said that he continued responsible for those measures, the answer is, that this rather aggravates than extenuates the charge; for he was responsible only because he in

truth joined to execute them. Instead of opposing them as was his bounden duty, he aided in giving them effect.

It is impossible to contemplate this subject without once more being struck with the very low point at which political virtue in those times was pitched. The most constitutional judge who had up to that time ever sat upon the bench, one of the purest politicians that had ever appeared, is found to have persevered in a course of official conduct which all men in our day would regard as an enormous delinquency. Instead of his becoming the object of universal reprobation, the only censure called down him by the disclosure was a single attack in one debate, in which the great leader of the high constitutional party warmly defended him, and his supporters joined with their applause. The spirit of party no doubt greatly contributed to this result; the joy of the opposition was buoyant over so great a shock as Lord Camden's opposition to his colleagues gave the ministry; and accordingly we find Lord Shelburne expressing a hope, that "the Great Seal would go a begging, and that no one would be found base and mean-spirited enough to accept it upon such conditions as might gratify the ministers, as soon as the present worthy Chancellor should be dismissed:" For it is none of the least strange parts of the transaction, though apparently a thing not unusual in those times, that the Chancellor's opposition to the government was offered while he remained in office; he was not dismissed till a week after he had avowed his difference with his colleagues, and charged them by implication with a conspiracy against public liberty.

Nevertheless, it must be observed, that the lower tone of political morality and the prevalence of faction, will not wholly account for the singular circumstances which we have been considering. The exclusion of the public from a view of all that passed in parliament

must be taken into the account.* If instead of an occasional and surreptitious glance at the debates of their representatives and of the peers, the people had daily read a full account of these proceedings, and if the conduct of public men had been constantly subjected to the scrutiny of the nation through the press, it can nowise be doubted that the extraordinary disclosures made upon Lord Camden's quitting office would have excited universal indignation. It can as little be questioned that, had he and his colleagues been always acting under the vigilant eye of the nation at large, and accountable to it as well as to their party-adherents and party-adversaries, the men equally engaged in playing against each other the game of faction, regardless of the country—no such state of things could have existed in the cabinet as we have been contemplating, and no man could have ventured to hold such a course as we have seen Lord Camden, safe and uncensured, pursued.

Finally, we may draw from these particulars in his history, an inference suggested also by the Diaries recently published of his two predecessors, Lord King and Lord Cowper, that the importance of the Chancellor in former times was far inferior to that which this high functionary now enjoys. A mere lawyer may now, as formerly, hold the great seal, and may now, as then, have little of the weight which he ought, for the safety of the cabinet and the good of the country, to possess. But if any one, of statesmanlike accomplishments, is now raised to that high office, or even any one who, like Lord Eldon, had previously never given his mind to state affairs, yet possessed a capacity for bearing a part in their direction, the in-

* It is hardly to be believed that as late as 1770 the *Annual Register* should not venture to do more than indistinctly and without names hint at any part of the proceedings which we have been describing. Lord Camden's statement, and Lord Sandwich's accusation of him, are not even alluded to. The Sovereign is only mentioned by the letter K., Parliament by P., and the House of Commons by H. of C.

fluence which he must enjoy knows hardly any bounds but those which his own inclination or the jealousy of his colleagues may prescribe. It was not so a century ago,—perhaps, with the exception of Lord Hardwicke,—it was not so before the time of Lord Loughborough. We find Lord King speaking of Sir Robert Walpole's consulting him, and so far confiding in him as to inform him of important matters in agitation, with a complacency which plainly shows that he was very far from considering such treatment a matter of course, as with any Chancellor whatever it would assuredly be in our times. In like manner we can have no doubt, that had the office been regarded in the same light at George the Third's accession as it was in the latter part of his reign, so eminent a person as Lord Camden when holding it, a person as well known in the political as in the legal world, and, from his former conduct, next to Lord Chatham, the peculiar favourite of the English people, could never have acted the part he did on the greatest questions of the day, or been the silent, unsupported, and impotent disapprover of the course held by his colleagues on those great questions.*

When he had once openly taken his part, there was no faltering or hesitation in his future course. During the whole of the proceedings, both before and after the American war broke out, he appeared the steady and powerful champion of the free and sound opinions which were natural to his feelings and his

* It is fit to add, however, that on his retirement some important resignations took place. The Dukes of Beaufort and Manchester, Lords Granby, Huntingdon, and Coventry resigned their household places. James Grenville gave up the office of Vice Treasurer of Ireland, and Dunning that of Solicitor-General in this country. The Great Seal, taken from Lord Camden (for, possibly with a view to embarrass the government, he did not resign), was pressed by the King on Charles Yorke, and reluctantly accepted 17th January; he died suddenly, as was generally supposed by his own hand (though this is somewhat doubtful) on the 20th; and Lord Mansfield, and Sir Eardley Wilmot (Chief Justice of the Common Pleas) having both refused the Great Seal, it was put in commission for a year, when Mr. Justice Bathurst at length accepted it.

habits of thinking. Nor did any childish fear of lowering the dignity of an Ex-chancellor, much less any mean hankering after royal favour, prevent him from bearing his part in the parliamentary struggle which for twelve years was maintained against the court. He was upon every occasion the right arm, as it were, of Lord Chatham; and many of his speeches, even in the meagre reports of the times, impress us with a high idea of his eloquence and of his powers as a debater. His constitutional opinions had, while in the House of Commons, sometimes been pushed to the very verge of moderation even while Attorney-General. Take an example:—In the debate on American taxation, in 1766, there was a threat of proceeding against the printer of a report containing his speech, which George Grenville complained of as a breach of privilege. "I will maintain it (he said) to my latest hour; taxation and representation are inseparable. This position is founded on the laws of nature; it is more, it is itself an eternal law of nature; for whatever is a man's own is absolutely his own; no man has a right to take it from him without his consent, either expressed by himself or his representative. Whoever attempts to do it attempts an injury; whoever does it commits a robbery; he throws down and destroys the distinction between liberty and slavery."—Observe again his doctrine, not little extravagant, of parliamentary representation:—"To fix the era when the Commons began is perilous and destructive; to fix it in Edward's or Henry's reign is owing to the idle dreams of some whimsical, ill-judging antiquaries; but this is a point too important to be left to such wrong-headed people. When did the House of Commons begin? When, my Lords? It began with the constitution. There is not a blade of grass growing in the most obscure corner of this kingdom which is not, which was not ever, represented since the constitution began. There is not a blade of grass

which when taxed was not taxed by consent of the proprietor."

It may easily be imagined that he was no sooner freed from the trammels of office, than a spirit so congenial to that which animated Lord Chatham would burst forth. He accordingly joined him in denouncing as a violent outrage on the constitution, the vote of the Commons incapacitating Wilkes from sitting in parliament, because he had been expelled after his election. This celebrated vote, the soundness of which Charles Fox, such is the force of early prejudices, maintained to his dying day, appears to have staggered even Lord Mansfield, who, when Lord Chatham moved an address in the Lords, declaring it unconstitutional, seemed through almost his whole speech to be arguing against it and in favour of the motion. He said, that he should regard himself as the greatest of tyrants and of traitors were he to be moved by it in his judicial capacity, though he added, mysteriously, "that he had never given his opinion upon it, and should probably carry it with him to the grave. But he considered that if the Commons had passed an unjustifiable resolution, it was a matter between God and their own consciences; and that the Lords could not carry up in an address a railing accusation to the throne, thereby exciting a flame between the two Houses not easily allayed." Lord Chatham and Lord Camden held that all the arguments of Lord Mansfield being in favour of their amendment, his vote should have accompanied his speech; and Lord Camden was so much impregnated with his illustrious friend's sentiments, that though he would not quite go so far as to exclaim, "Let discord reign for ever," he yet declared "that to the voice of the people he would join his feeble efforts, and the louder he heard them cry, the better should he be pleased."

After Lord Chatham's death, in 1778, rather from

loss of his great leader than from any infirmity of increasing age, he rarely took a part in debate. That the latter was not the cause of his inaction, we may well suppose from the great excellence of the speeches which he occasionally delivered. One of these must have possessed extraordinary merit, that on Lord Shelburne's amendment to the address, 27th of November, 1781; for it extorted from the most niggardly dispenser of praise perhaps the only panegyric of which he was ever guilty. Lord Thurlow said, "he never had heard a more able discourse within these walls; that the premises were distinct and clear, while the deductions followed without constraint or false colouring." "In thus speaking of the noble Lord's very great abilities," said the eminently dyslogistic Chancellor, "I trust he will receive it as my real sentiments, not being at any time much disposed to travel out of the business before the House for the purpose of keeping up the trivial forms of debate, much less to pay particular personal compliments to any man."

When the disasters of the American war, more than the attacks of the opposition, had driven Lord North from the helm, Lord Camden became President of the Council in the Rockingham Administration, and quitted that office when the Coalition ministry was formed next year, having consistently remained in the cabinet of Lord Shelburne and Mr. Pitt, when the personal and factious violence of the Whigs led them to oppose the peace, and finally to overthrow the ministry that made it, by a Coalition which ruined the Whig character and influence for nearly a quarter of a century. Upon Mr. Pitt triumphantly defeating the Coalition, Lord Camden resumed his office, and kept it to his death.

Between the close of the American war and the regency in 1788, with the exception of delivering an admirable speech against Mr. Fox's India Bill, and one or two others during the same struggles, he

seldom bore any part in debate. But on the King's illness being declared to Parliament, he took the lead in all the proceedings connected with that event, Lord Thurlow being evidently little trusted by Mr. Pitt, who had discovered his intrigues with the opposition and Carlton House. Lord Camden in particular argued, and with great learning and ability, the constitutional questions which arose from time to time during the fierce controversy of that day, and he was perhaps never heard to greater advantage than in the debate on the Heir Apparent's right, and Mr. Fox's incautious assertion of it, a doctrine which met with its most formidable adversary in the veteran champion of our popular constitution. Nor must it be forgotten, that he had now reached his 75th year.

It does not appear that the lapse of four years more had either impaired his faculties or extinguished his love of liberty: for he it was who, a leading member of the Government, in the face of the unanimous opinion of all the Judges, supported as they were in the House itself by Lord Thurlow, Lord Kenyon, and Lord Bathurst, maintained the rights of juries in libel cases by the law of England, and carried through, in spite of a most formidable opposition from those law Lords, the celebrated measure of Lord Erskine, which is commonly, though erroneously, called Mr. Fox's Libel Act.

Nothing can be more refreshing to the lovers of liberty, or more gratifying to those who venerate the judicial character, than to contemplate the glorious struggle for his long-cherished principles with which Lord Camden's illustrious life closed. The fire of his youth seemed to kindle in the bosom of one touching on fourscore, as he was impelled to destroy the servile and inconsistent doctrines of others, slaves to mere technical lore, but void of the sound and discriminating judgment which mainly constitutes a legal, and above

all a judicial, mind. On such passages as follow, the mind fondly and reverently dwells, thankful that the pedantry of the profession had not been able to ruin so fine an understanding, or freeze so genial a current of feeling,—and hopeful that future lawyers and future judges may emulate his glory and his virtue.

"It should be imprinted," he said, "on every juror's mind that, if a jury find a verdict of publishing and leave the criminality to the judge, they would have to answer to God and their consciences for the punishment which by such judge may be inflicted,—be it fine, imprisonment, loss of ears, whipping, or any other disgrace."—"I will affirm," added Lord Camden, "that they have the right of deciding, and that there is no power by the law of this country to prevent them from the exercise of the right if they think fit to maintain it. When they are pleased to acquit any defendant, their acquittal will stand good until the law of England shall be changed."—"Give, my Lords," he exclaimed, "give to the jury or to the judge the right of trial. You must give it to one or to the other, and I think you can have no difficulty which to prefer. Place the press under the power of the jury, where it ought to be."

On a future stage of the bill, 16th May, 1792, he began a most able and energetic address to the House in terms which deeply moved all his hearers—because, he said, how unlikely it was that he should ever address them any more. After laying down the law as he conceived it certainly to be, he added, "So clear am I of this, that if it were not the law, it should be made so; for in all the catalogue of crimes there is not one so fit to be determined by a jury as libel." —"With them leave it, and I have not a doubt that they will always be ready to protect the character of individuals against the pen of slander, and the government against the licentiousness of sedition."

The opinions of the judges were overruled, and the act was of purpose made declaratory and not enactive, after the opposition of the law lords had thus been defeated. The Chancellor, as the last effort to retain the law in judicial hands, asked if Lord Camden would object to a clause being inserted granting a new trial in case the court were dissatisfied with a verdict for the defendant?—"What," (exclaimed the veteran friend of freedom) "after a verdict of acquittal?" "Yes," said Lord Thurlow. "No, I thank you," was the memorable reply,—and the last words spoken in public by this great man. The bill immediately was passed.

Two years after, he descended to the grave full of years and honours, the most precious honours which a patriot can enjoy, the unabated gratitude of his countrymen, and the unbroken consciousness of having, through good report and evil, firmly maintained his principles and faithfully discharged his duty.

In the whole of Lord Camden's life there is no passage more remarkable or more edifying than his manly adherence to his own clear and well considered opinion, in spite of the high professional authority by which it was impugned. There are many professional men who, after having long quitted the contentions of Westminster Hall, and been for a great portion of their lives removed from a close contact with their legal brethren, feel nervous at the idea of exposing themselves to be decried for ignorance or despised for heterodoxy, by the frowns of the legal community, adjusted to the solemn authority and example of those set in place over them. It was the only mark of declining vigour which Lord Erskine betrayed, that in the course of the Queen's case he dreaded to come in conflict with the judges, even on some points which there is now no reason to doubt were wrong decided, and which he accurately perceived at the time were

erroneously determined.* At a more advanced age, Lord Camden retained the full vigour of his faculties, so as boldly to announce his deliberate opinion; and that it was in no degree biassed by any party leaning, or any hunting after popular applause, will appear manifest from the circumstance of the Libel Bill being passed by him, in the manner we have just been contemplating, during the most vehement period of the controversy upon sedition that began the French Revolution, and in the same year in which the proclamation against seditious writings was issued, and the first prosecutions for libel instituted by the government of which Lord Camden was so conspicuous a member.†

In close connexion with the most remarkable passage of Lord Camden's life, was the conduct and in general the history of Wilkes. We are thus led to speak somewhat of that unprincipled adventurer, not certainly as having any place among the statesmen of the age, but as accidentally connected with their history.

* For example of misdecision, take the rule laid down, that no question on cross-examination can be put to a witness, the answer to which may refer to a written document, without producing the document and placing it in the witness's hands, whereby the test applied whether to his veracity or to his memory is defeated.—This is no longer law. A provision repealing it has been taken from my Evidence and Procedure Bill of 1853, and forms part of the late Act.

† It is very gratifying to me that I can mention so valuable a step towards improvement in the law of slander and libel as my learned and esteemed friend Lord Campbell has recently succeeded in carrying through Parliament, with the entire concurrence of the other law lords. The bill which I brought into the Commons twice, first in 1816 and again in 1830, on the eve of my quitting that house, embraced this and also other changes in the law, which I doubt not will now soon follow, and I most cheerfully resigned the subject into my colleague's hands. The measure was matured ably and judiciously under his auspices in a committee over which he presided; and in which, beside their report recommending the bill, a valuable body of evidence and opinions was collected. It must, however, be added, that a great loss to the reform of the law is incurred by leaving out the most valuable portion of my former Bills, that which protected political or public libel to the extent of allowing evidence of the truth. The Report of the Criminal Law Commissioners on this question, and on the whole subject, is elaborate and full of interest.

The history of Wilkes is well known, and his general character is no longer any matter of controversy. Indeed, it is only justice towards him to remark, that there was so little about him of hypocrisy—the "homage due from vice to virtue" being by him paid as reluctantly and as sparingly as any of his other debts—that, even while in the height of his popularity, hardly any doubt hung over his real habits and dispositions. About liberty, for which he cared little, and would willingly have sacrificed less, he made a loud and blustering outcry, which was only his way of driving a trade; but to purity of private life, even to its decencies, he certainly made no pretence; and, during the time of the mob's idolatry of his name, there never existed any belief in his good character as a man, however much his partizans might be deceived in their notion that he was unlikely to sell them. He had received a good education—was a fair classical scholar—possessed the agreeable manners of polished society—married an heiress half as old again as himself—obliged her, by his licentious habits and profligate society, to live apart from him—made an attempt, when in want of money, to extort from her the annuity he had allowed for her support—is recorded in the Term Reports of the Court of King's Bench,* to have been signally defeated in this nefarious scheme—continued to associate with gentlemen of fortune far above his own—passed part of his life as a militia colonel—and fell into the embarrassed circumstances which, naturally resulting from such habits, led in their turn to the violent political courses pursued by him in order to relieve his wants. Contemporaneous, however, with the commencement of his loud toned patriotism, and his virulent abuse of the Court, were his attempts to obtain promotion. One of these was his application to Lord Chatham for

* 1 Burr. 452. Easter, 31 Geo. II., Rex, v. Mary Mead.

a seat at the Board of Trade. Soon after that failed, he was defeated in his designs upon the Embassy at Constantinople, which his zeal for the liberties of the English people, and his wish to promote them in the most effectual manner, induced him to desire; and a third time he was frustrated in an attempt to make head against the corruptions of the British Court, by repairing as governor to the remote province of Canada. Lord Bute and his party had some hand in these disappointments; and to running them down his zealous efforts were now directed.

With such a history, both in public and private, there was a slender chance of figuring to any good purpose as a patriot; but he took the chance of some of those lucky hits, those windfalls, which occasionally betide that trade, in the lucrative shape of ill-judged prosecution. He fared forth upon his voyage in the well-established line of Libel, and he made a more than usually successful venture; for he was not only prosecuted and convicted in the ordinary way, but a blundering Secretary of State issued, as we have seen, a general warrant to seize his papers—was of course resisted,—allowed the matter to come into court—sustained an immediate defeat—and was successfully sued for damages by the victorious party. Add to this, his imprisonment for a libel, with his repeated expulsions from the House of Commons, and his finally defeating that body, and compelling them to erase the resolution from their journals—and his merits were so great, that not even the ugly concomitant of another conviction for a grossly obscene book, printed clandestinely at a private press, could countervail his political virtues. He became the prime favourite of the mob, and was even admitted by more rational patriots to have deserved well of the constitution, from the courage and skill which he had shown in fighting two severe battles, and gaining for it two important victories. The promotion which he had in vain sought in the purlieus

of Whitehall, awaited him in the city; he became Alderman; he became Lord Mayor; and, having obtained the lucrative civic office of Chamberlain, which placed him for life in affluent circumstances, he retired, while in the prime of life, from a political warfare, of which he had accomplished all the purposes, by reaping its most precious fruits; passed the rest of his days in the support of the government; never raised his voice for reform, or for peace, or to mitigate the hostility of our court towards the country that had afforded him shelter in his banishment; nor ever quitted the standard of Mr. Pitt when it marshalled its followers to assaults on the constitution, compared with which all that he had ever even invented against Lord Bute, sank into mere insignificance.

That the folly of the government, concurring with the excited and sulky temper of the times, enabled Wilkes to drive so gainful a trade in patriotism, with so small a provision of the capital generally deemed necessary for embarking in it, there can be little doubt. In any ordinary circumstances, his speculation never could have succeeded. In most of the qualities required for it, he was exceedingly deficient. Though of good manners, and even of a winning address, his personal appearance was so revolting as to be hardly human. High birth he could not boast; for his father was a respectable distiller in Clerkenwell. Of fortune he had but a moderate share, and it was all spent before he became a candidate for popular favour; and his circumstances were so notoriously desperate, that he lived for years like a mendicant on patriotic subscriptions. Those more sterling qualities of strict moral conduct, regular religious habits, temperate and prudent behaviour, sober industrious life—qualities which are generally required of public men, even if more superficial accomplishments should be dispensed with—he had absolutely nothing of; and the most flagrant violations of decency on moral as well as re-

ligious matters were committed, were known, were believed, and were overlooked by the multitude, in the person of their favourite champion, who yet had the address to turn against one of his antagonists, a clerical gentleman, some of those feelings of the English people in behalf of decorum, all of which his life was passed in openly outraging. Of the lighter but very important accomplishments which fill so prominent a place in the patriotic character, great eloquence, and a strong and masculine style in writing, he had but little. His compositions are more pointed than powerful; his wit shines far more than his passions glow; and as a speaker, when he did speak, which was but rarely, he showed indeed some address and much presence of mind, but no force, and produced hardly any effect. Horace Walpole constantly describes him as devoid of all power of speaking. Of his readiness, an anecdote is preserved which may be worth relating. Mr. Luttrel and he were standing on the Brentford hustings, when he asked his adversary privately, whether he thought there were more fools or rogues among the multitude of Wilkites spread out before them. "I'll tell them what you say, and put an end to you," said the Colonel; but perceiving the threat gave Wilkes no alarm, he added, "Surely you don't mean to say you could stand here one hour after I did so?" —"Why," the answer was, "*you* would not be alive one instant after."—"How so?"—"I should merely say it was a fabrication, and they would destroy you in the twinkling of an eye!"

If we are to judge of his speaking by the very few samples preserved of it, we should indeed form a very humble estimate of its merits. Constant declamation about rights, and liberties, and tyrants, and corruption, with hardly the merit of the most ordinary commonplaces on these hackneyed topics, seem to fill up its measure—with neither fact, nor argument, nor point, nor any thing at all happy or new in the

handling of the threadbare material. But what it wanted in force it probably made up in fury; and, as calling names is an easy work to do, the enraged multitude as easily are pleased with what suits their excited feelings, gratifying that craving for more stimulus which excitement produces. That he failed, and signally failed, whenever he was called upon to address an audience which rejects such matter, is very certain.* In Parliament he was seldom or never heard after his own case had ceased to occupy the public attention; and nothing can be worse than his address to the Court of Common Pleas when he was discharged. The occasion, too, on which he failed was a great one, when a victory for constitutional principle had been gained perhaps by him—certainly in his person. All the people of London were hanging on the lips of their leader; yet nothing could be worse or feebler than his speech, of which the burden was a topic as much out of place as possible in a court of justice, where the strict letter of the law had alone prevailed, and that topic was verily handled with miserable inefficiency. "Liberty, my lords, liberty has been the object of my life! Liberty"—and so forth. He might about as well have sung a song, or lifted his hat and given three cheers.

In his writings, especially his dedication to Lord Bute of 'Roger Mortimer,' a tragedy, his notes on Warburton, and his ironical criticism on the Speaker's reprimand to the Printers, we trace much of that power of wit and of humour which he possessed to an extraordinary degree in private society. The last of these three pieces is by far the best, though he himself greatly preferred the first. It must be allowed, however, that neither is very original; and that both might easily enough have occurred to a diligent reader of Swift, Addison, Arbuthnot, and of Bolingbroke's

* "He has so little quickness, or talent for public speaking, that he would not be heard with patience."—(*Letters to Sir H. Mann*, ii. 22.)

dedication to Walpole under the name of D'Anvers—a very superior production in all respects to the dedication of 'Roger Mortimer.'

Of his convivial wit no doubt can remain. Gibbon, who passed an evening with him in 1762, when both were militia officers, says, "I scarcely ever met with a better companion; he has inexhaustible spirits, infinite wit and humour, and a great deal of knowledge;" he adds, "a thorough profligate in principle as in practice; his life stained with every vice, and his conversation full of blasphemy and indecency; these morals he glories in; for shame is a weakness he has long since surmounted." This, no doubt, is greatly exaggerated, and the historian, believing him really to confess his political profligacy, is perhaps in error also,—"He told us that in this time of public dissension he was resolved to make his fortune." Possibly this was little more than a variety of his well-known saying to some one who was fawning on him with extreme doctrines—"I hope you don't take me for a Wilkite."

Of his wit and drollery some passages are preserved in society; but of these not many can with propriety be cited. We doubt if his retort to Lord Sandwich be of this description, when being asked, coarsely enough, "Whether he thought he should die by a halter or by a certain disease?" he quickly said "That depends on whether I embrace your Lordship's principles or your mistress." We give this, in order to contradict the French anecdote, which ascribes the *mot* to Mirabeau as a retort to Cardinal Maury, while sitting by him in the National Assembly. I heard it myself from the Duke of Norfolk, who was present when the dialogue took place, many years before the French Revolution. His exclamation, powerfully humorous certainly, on Lord Thurlow's solemn hypocrisy in the House of Lords, is well known. When that consummate piece of cant was performed with all the

solemnity which the actor's incredible air, eyebrows, voice, could lend the imprecation, "If I forget my sovereign, may my God forget me!"—Wilkes, seated on the steps of the throne, eyeing him askance with his inhuman squint and demoniac grin, muttered, "Forget you! He'll see you d——d first."

One quality remains to be added, but that a high one, and for a demagogue essential. He was a courageous man. Neither politically nor personally did he know what fear was. Into no risks for his party did he ever hesitate to rush. From no danger, individually, was he ever known to shrink. The meeting which he gave Secretary Martin, and which nearly cost him his life, was altogether unnecessary; he might easily have avoided it; and when a wild young Scotch officer asked satisfaction for something said against his country, he met no refusal of his absurd demand; but was ordered on a distant service before he could repair to Flanders, whither Wilkes went to fight him, after the Mareschal's Court of France had interdicted a meeting in that country.

Some of the other honourable feelings which are usually found in company with bravery, seem generally to have belonged to him. He was a man, apparently, of his word. In his necessities, though he submitted to eleemosynary aid for pecuniary supplies, and maltreated his wife to relieve his embarrassments, he yet had virtue enough to avoid the many disreputable expedients which have made the condition of the needy be compared to the impossibility of keeping an empty sack upright. His worst offence, and that which brings his honesty into greatest discredit, is certainly the playing a game in political virtue, or driving a commerce of patriotism, which the reader of his story is constantly struck with; and in no instance does this appear more plainly than in such attempts at pandering to the passions of the people, as his addressing a canting letter to the Lord Mayor,

when refusing, as Sheriff of London, to attend the procession to St. Paul's on the occasion of the King's accession. He grounds his refusal on the preference he gives to "the real administration of justice, and his unwillingness to celebrate the accession of a prince, under whose inauspicious reign the Constitution has been grossly and deliberately violated." That this was a measure to catch mob applause, is proved by his sending a draft of his epistle to Junius for his opinion, and in his note, inclosing the paper, he calls it a "manœuvre."*—(WOODFALL'S *Junius*, i. 324.)

I have dwelt longer upon this celebrated, rather let me say noted person, than may seem to be in proportion or keeping with a representation of the group in which he figures; because it is wholesome to contemplate the nature, and reflect upon the fate, of one

* In admitting the polished manners of Wilkes, and that he had lived much in good society, somewhat in the best, we need not admit that his turn of mind was not in some sort vulgar—witness his letters to Junius throughout—particularly the papers wherein he describes Junius's private communications to him as "*stirring up his spirits like a kiss from Chloe*," and asks the "great unknown" to accept of what? Books? Valuable MSS.? Interesting information? No—but tickets to the Lord Mayor's dinner—crowded dinner—and the Lady Mayoress's far less tolerable ball, with a hint "to bring his Junia, if there be one."—WOODFALL, i. 325.

When, in 1817, I stated my strong opinion in the House of Commons on Wilkes's character, and the shame that his popularity brought on the people of England for a time, Mr. Wilberforce expressed his thanks to me and confirmed my statements. Mr. Canning, however, observed that Wilkes was by no means a singular instance of demagogues not being respectable, and added,

He's Knight o' th' shire, and represents them all,

which is an exaggerated view certainly. Sir Philip Francis, the morning after, remonstrated strongly with me, in the company of other friends, for saying anything in disparagement of a man run down by the Court. He regarded the offence as greatly aggravated by the praise which had been given to Lord Mansfield, against whom he inveighed bitterly, charging him, among other things, with corruption in the Douglas cause, but charging Lord Camden also. This tone, so precisely that of Junius upon both subjects of Wilkes and Mansfield, was much remarked at the time.

beyond all others of his day, the idol of the mob, the popular favourite; one who, by the force of their applause, kept so far a footing with the better part of society as to be very little blamed, very cautiously abjured, by those most filled with disgust and with detestation of his practices. It is an addition to the chapter on this subject, already suggested by the French revolution. The men in Parliament, the members of the popular party, with perhaps the single exception of Lord Chatham, while they would have viewed with utter scorn any approaches he might make to their intimacy, nevertheless were too much afraid of losing the countenance of the multitude he ruled over, to express their strongly entertained sentiments of his great demerits. They might not so far disgrace themselves as to truckle in their measures; they never certainly courted him with extending their patronage to himself or his accomplices; but they were under the powerful influence of intimidation, and were content to pass for his fellow-labourers in the Whig vineyard, and to suppress the feelings with which his conduct in public and private life filled them, rather than encounter his vengeance and risk the loss, the temporary loss, of mob applause. How base does such conduct now appear, and how noble is the contrast of Lord Chatham's manly deportment in the eyes of impartial posterity!

But the fall, the rapid and total declension, of Wilkes's fame, the utter oblivion into which his very name has passed for all purposes save the remembrance of his vices—the very ruins of his reputation no longer existing in our political history—this affords also a salutary lesson to the followers of the multitude,—those who may court the applause of the hour, and regulate their conduct towards the people, not by their own sound and conscientious opinions of what is right, but by the desire to gain fame in doing what is

pleasing, and to avoid giving the displeasure that arises from telling wholesome though unpalatable truths. Never man more pandered to the appetites of the mob than Wilkes; never political pimp gave more uniform contentment to his employers. Having the moral and sturdy English, and not the volatile and versatile Irish, to deal with, he durst not do or say as he chose himself; but was compelled to follow that he might seem to lead, or at least to go two steps with his followers that he might get them to go three with him. He dared not deceive them grossly, clumsily, openly, impudently — dared not tell them opposite stories in the same breath—give them one advice to-day and the contrary to-morrow—pledge himself to a dozen things at one and the same time; then come before them with every one pledge unredeemed, and ask their voices, and ask their money too on the credit of as many more pledges for the succeeding half-year —all this with the obstinate and jealous people of England was out of the question; it could not have passed for six weeks. But he committed as great, if not as gross, frauds upon them; abused their confidence as entirely if not so shamefully; catered for their depraved appetites in all the base dainties of sedition, and slander, and thoughtless violence, and unreasonable demands; instead of using his influence to guide their judgment, improve their taste, reclaim them from bad courses, and better their condition by providing for their instruction. The means by which he retained their attachment were disgraceful and vile. Like the hypocrite, his whole public life was a lie. The tribute which his unruly appetites kept him from paying to private morals, his dread of the mob, or his desire to use them for his selfish purposes, made him yield to public virtue; and he never appeared before the world without the mask of patriotic enthusiasm or democratic fury;—he who in the recesses of Medenham Abbey, and before many

witnesses, gave the Eucharist to an ape, or prostituted the printing-press to multiply copies of a production that would dye with blushes the cheek of an impure.

It is the abuse, no doubt, of such popular courses, that we should reprobate. Popularity is far from being contemptible; it is often an honourable acquisition; when duly earned, always a test of good done or evil resisted. But to be of a pure and genuine kind, it must have one stamp—the security of one safe and certain die; it must be the popularity that follows good actions, not that which is run after. Nor can we do a greater service to the people themselves, or read a more wholesome lesson to the race, above all, of rising statesmen, than to mark how much the mock-patriot, the mob-seeker, the parasite of the giddy multitude, falls into the very worst faults for which popular men are wont the most loudly to condemn, and most heartily to despise, the courtly fawners upon princes. Flattery indeed! obsequiousness! time-serving! What courtier of them all ever took more pains to soothe an irritable or to please a capricious prince than Wilkes to assuage the anger or gain the favour, by humouring the prejudices, of the mob! Falsehood, truly! intrigue! manœuvre! Where did ever titled suitor for promotion lay his plots more cunningly, or spread more wide his net, or plant more pensively in the fire those irons by which the waiters upon royal bounty forge chains to themselves and to their country, that they may also fashion the ladder they are to mount by, than the patriot of the city did to delude the multitude, whose slave he made himself, in order to be rewarded with their sweet voices, and so rise to wealth and to power? When he penned the letter of cant about administering justice, rather than join in a procession to honour the accession of a prince whom in a private petition he covered over thick and threefold with the slime of his flattery, he called it himself a

"manœuvre." When he delivered a rant about liberty before the reverend judges of the land—the speaking law of the land—he knew full well that he was not delighting those he addressed, but the mob out of doors, on whose ears the trash was to fall echoed back. When he spoke a speech in Parliament of which no one heard a word, and said aside to a friend who urged the fruitlessness of the attempt at making the House listen—"Speak it I must, for it has been printed in the newspapers this half-hour"—he confessed that he was acting a false part in one place to compass a real object in another;—as thoroughly as ever minister did when he affected by smiles to be well in his prince's good graces before the multitude, all the while knowing that he was receiving a royal rebuke. When he and one confederate in the private room of a tavern issued a declaration, beginning, "We, the people of England," and signed "by order of the meeting,"—he practised as gross a fraud upon that people as ever peer or parasite did, when affecting to pine for the prince's smiles, and to be devoted to his pleasure, in all the life they led consecrated to the furtherance of their own. It is no object of mine to exalt courtly arts, or undervalue popular courses; no wish have I to over-estimate the claims of the aristocracy at the cost of lowering the people. Both departments of our mixed social structure demand equally our regard; but let the claims of both be put on their proper footing. We may say, and very sincerely say, with Cicero—"Omnes boni semper nobilitati favemus, et quia utile est reipublicæ nobiles homines esse dignos majoribus suis; et quia valet, apud nos, clarorum hominum et bene de republica meritorum memoria, etiam mortuorum." (*Pro Sext.*) These are the uses, and these the merits of the aristocratic branch of our system; while the mean arts of the courtier only degrade the patrician character. But mean as they are, their vileness does not exceed that of the like arts practised

towards the multitude; nor is the Sovereign Prince whose ear the flatterers essay to tickle that they may deceive him for their own purposes, more entirely injured by the deception which withholds the truth, than the Sovereign People is betrayed and undone by those who, for their own vile ends, pass their lives in suppressing wholesome truth, and propagating popular delusion.

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